

### A Call For a Healthy Economy and a Healthy Park

With changes in the winter management of Yellowstone Park looming on the horizon, we, the undersigned residents and business owners of West Yellowstone, Montana, would like to present our view of the economic reality and potential of our community:

- West Yellowstone is a hard-working community with a proud history of adapting to management changes in our neighboring park. Our winter economy is robust. However, the economic well being of our gateway community depends on the health and protection of Yellowstone Park.
- Changes in Yellowstone's winter use must occur in order to keep the park healthy. Reports of air and noise pollution hurt the reputation of West Yellowstone and the park, which hurts marketing efforts and tourism potential.
- Many predicted the economic demise of West Yellowstone during the fires of 1988. Today, vocal business leaders in our town are convinced that the removal of snowmobiles from Yellowstone will cause the downfall of our economy. They were mistaken in 1988, and they are mistaken now. West Yellowstone is a resilient community able to adapt and take advantage of changes.
- The West Yellowstone area boasts over 300 miles of snowmobile trail, excellent cross-country skiing trails, scenic beauty, and the world's first national park. West Yellowstone will thrive as long as the natural beauty that attracts visitors remains unimpaired.

For these reasons, we, the undersigned residents and business owners of West Yellowstone Montana, ask Senators Max Baucus and Conrad Burns, Congressman Rick Hill, Governor Marc Racicot, our State Legislators, County Commissioners and the National Park Service to:

- Protect Yellowstone Park and thereby ensure that visitors will continue to visit West Yellowstone.
- Support the community of West Yellowstone as it adjusts, diversifies and rises to meet any challenges created by changes in park management.

Name

Address

118 signatures

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April 25, 2000

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The signatories to the petition ("A Call for a Healthy Economy and a Healthy Park") we bring to you today represent a broad cross section of West Yellowstone residents and businesses who support Yellowstone National Park's proposal (revised Alternative G) to eliminate snowmobiles. We feel strongly that this change will help diversify our winter economy and insure a sound future for West Yellowstone: a healthy park equals a healthy local economy.

By restricting winter access to snowcoaches, chronic air and noise pollution in the park will be largely eliminated. The community will be able to market itself not only to snowmobilers but to all other winter tourists, creating a much larger tourist base. If limited snowmobiles (four-stroke or two-stroke) are allowed to damage the health and reputation of the park, not only will our winter economy suffer, but so will the wildlife. We know that snowcoaches have the potential to carry far more visitors per day into Yellowstone National Park than can ever be responsibly accommodated with snowmobiles. Every ten snowmobiles could equal one snowcoach, thereby reducing total vehicle numbers in the park while maintaining visitor numbers. This is a "win-win" situation for West Yellowstone and the wildlife in the park.

Vocal snowmobile interests represent a small minority of the West Yellowstone community. Their doom and gloom predictions concerning prohibition of snowmobiles in Yellowstone National Park echo similar sentiments that followed Yellowstone fires of 1988. Such dire predictions were proven false in 1988. Today, these predictions are only smoke and mirrors to protect the monopoly a small group of businesses have on our winter economy.

It is important to understand that Yellowstone National Park is by no means the only, or even the best, snowmobiling venue in the region. There are over 300 miles of snowmobile trails outside of Yellowstone that provide a far superior snowmobiling experience. Most true "snowmobilers" come here for these trails, maybe visiting the park for one day of their vacation. And most prospective winter visitors are simply tourists looking for the unique experience of visiting Yellowstone National Park in the winter. They will come regardless of the mode of park transportation. It is simply not true that the survival of West Yellowstone depends on snowmobile access to the park. Our economy is not nearly so fragile as that.

We therefore ask that you join the West Yellowstone community in supporting the National Park Service as it seeks to preserve the pristine integrity of this nation's first national park. Yellowstone is a unique treasure, not an amusement park. The long term economic viability of West Yellowstone is dependent upon the preservation of Yellowstone Park.

Thank you and please contact us if you have any further questions.

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fall. Conversion to the new technology snowmobiles, which are quieter than many vehicles allowed during the summer months, will also provide more quiet conditions. Lastly, there are no adverse impacts on wildlife populations (i.e., bison, elk) which are thriving in the parks. The 65,000 snowmobiles create less disturbance to wildlife than the 1.5 million autos, buses and trucks.

The political decision to ban snowmobiles creates a terrible precedent that threatens traditional summer visitors. If 65,000 snowmobiles produce unacceptable impairment on the park, then more than 1.5 million autos, buses and trucks are certainly worse. If wintertime vehicular noise along the road system mandates a ban of snowmobiles, there is no way to permit greater vehicular use (and noise) each summer. And if mere "disturbance" of individual animals along the roads necessitates a ban of snowmobiles, summertime disturbance caused by the daily bison, elk, or moose "jams" cannot be permitted to continue.<sup>2</sup> The ban, if allowed to stand, establishes a dangerous and insidious precedent that threatens traditional visitation throughout the National Park System.

ISMA strongly recommends rejection of the snowmobile ban and adoption of a new winter use plan that provides for rapid conversion of nearly three-quarters of the snowmobiles entering these parks to the new cleaner, quieter models as well as continued restriction of use to the road system. These features are largely reflected in Alternative 2, the Wyoming Alternative, in the DSEIS.<sup>3</sup>

**Background**

Yellowstone National Park (YNP) was created in 1872 for the purpose of conserving its unique resources and providing a "pleasuring ground for the benefit and enjoyment of the people." 16 U.S.C. § 21. Congress subsequently provided that Yellowstone, and Grand Teton, would be managed "to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same . . ." 16 U.S.C. § 1. Both parks have been managed to provide for public use and enjoyment and millions visit the parks each year. Over 95 percent of this

<sup>2</sup> "Although winter recreation within the park has not clearly demonstrated any long-term adverse consequences to populations, park policies, regulations and Executive Orders clearly state that disturbance to wildlife, regardless of population level effects, is unacceptable in the national parks." (Emphasis added.) DSEIS, p. 217.

<sup>3</sup> ISMA supports Alternative 2 with two modifications: (a) limit mandatory conversion to rental fleet sleds representing approximately 70 percent of entries into these parks and (b) describing the cleaner, quieter sleds in a manner reflecting pending action by the Environmental Protection Agency. See subsequent comments for greater details.

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May 29, 2002

Mr. Steve Martin  
Superintendent  
Grand Teton National Park  
c/o Planning Office  
Winter Use Draft SEIS Comments  
Grand Teton and Yellowstone National Parks  
P.O. Box 355  
Moose, WY 83012

Re: Comments on Draft Supplemental Environmental Impact Statement

Dear Mr. Martin:

The following comments are submitted on behalf of the International Snowmobile Manufacturers Association (ISMA) regarding the Draft Supplemental Environmental Impact Statement (DSEIS) on Winter Use Plans for Yellowstone and Grand Teton National Parks and John D. Rockefeller, Jr. Memorial Parkway. (67 FR 15223, March, 2002)

**Summary**

The January, 2001 decision to ban snowmobiles from the road systems of Yellowstone and Grand Teton National Parks was an unwarranted political action without factual or legal justification. Present snowmobile use (about 65,000 entries each winter) causes no violations of national ambient air quality standards.<sup>1</sup> The conversion to new, cleaner snowmobiles or "sleds", which will occur rapidly as the proposed U.S. Environmental Protection Agency ("EPA") rules take effect, will reduce any existing impact of snowmobiles on the ambient air quality within the parks. Use of snowmobiles is restricted to 185 miles of the park's 275-mile road system and snowmobile sound impacts occur only along this portion of the roadway system. Additionally, snowmobile impacts on the "natural soundscape" are less than the impacts generated by the over 1.5 million autos, buses, RVs, SUVs, trucks, and motorcycles that travel the full 275 mile paved road system in the spring, summer and

<sup>1</sup> For example, ambient air standards (NAAQS) along the west entrance road are 23 PPM for CO and 150 g/m<sup>3</sup> for PM. Existing emissions levels, with snowmobile use, are 14.8 PPM and 33.7 g/m<sup>3</sup> respectively.

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visitation occurs in the spring, summer, and fall. In YNP, over 1.5 million autos, buses, SUVs, RVs, trucks and motorcycles use its 275 mile paved road system each year. Winter use is substantially less accounting for less than 4 percent of visitation. Approximately 65,000 snowmobiles enter YNP each winter with use restricted to portions (i.e, 185 miles) of the road system specifically groomed for such over snow use. The public is prohibited from any off road snowmobile use in these parks.

While millions of visitors enjoy their parks each year, resources are protected and conserved. Bison, elk, and grizzly bear populations remain at near record levels, and wolves have been successfully reintroduced. The fishery resources (dominantly cutthroat trout) of both parks are unparalleled in the continental United States. Sparkling vistas of mountains, lakes, rivers, and geyser basins are maintained. There are no violations of air quality standards within the parks.

Most visitation occurs along the road systems within each park unit. As a matter of fact, over 99 percent of Yellowstone remains roadless wilderness. Those visitors in search of natural soundscapes and solitude find it by parking at the many trailheads, lacing on their hiking boots, and venturing into the over two million acres of undeveloped, untouched backcountry. Winter visitors seeking the same experiences simply strap on cross-country skis or snowshoes to enjoy the same backcountry where all motorized travel by the public is banned.

There are in essence two "parks" within each unit: (1) the developed areas along the road systems and (2) the backcountry. The YNP road system is now over a hundred years old and was initially constructed by the U.S. Army which administered Yellowstone before the National Park Service was created. Visitors to Old Faithful can park their autos and SUV's (or snowmobiles) only a couple of hundred yards from the famous geyser. The large parking lot there becomes crowded and congested whether it is July or January. The same is true in the Hayden Valley along the Yellowstone River where "bison jams" are the order of the day throughout the summer as herds of the animals routinely wander along and on the road (oblivious to autos, buses, and RVs) blocking traffic and creating miles-long traffic backups. The visitor seeking solitude, a wilderness experience, or natural soundscapes cannot find these amenities along the road system in any season. However, these visitors have millions of acres and 99 percent of the Park available to them to enjoy at the cost of some modest exertion. Note too that over 60 percent of winter visitors to YNP use snowmobiles. Only 1 percent are cross-country skiers.

Winter visitors enter YNP from four gateway communities: West Yellowstone and Gardiner, Montana and Cody and Jackson, Wyoming. Approximately 70 percent of all snowmobile entries are on snowmobiles or "sleds" rented from within these communities. A significant component of the rental fleet of sleds has already been converted to the new generation of snowmobiles. This past winter, 135 of the new sleds were available for rental and use in YNP and GTNP. At present, these

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employ four stroke engines and achieve emissions reductions of 70 to 95 percent. In addition, these new machines are quieter than most existing two stroke machines.

#### **The Wyoming Alternative: A Sensible Solution**

ISMA supports the concepts embodied in Alternative 2 developed by the cooperating agencies, including the State of Wyoming, in the SEIS process. Throughout this document, we refer to the DSEIS Alternative 2 as the Wyoming Alternative. It provides that entry into the parks will be via new technology snowmobiles that are substantially cleaner and quieter. Under this alternative, snowmobiles will continue to be restricted to the road system. Conversion of over 70 percent of entries to new technology snowmobiles, coupled with limits on the total number of snowmobiles allowed at any one time and a series of other prudent management actions assures that winter visitors can still enjoy their park on their own while achieving cleaner air, more natural soundscapes, and fewer effects on wildlife. This alternative is completely consistent with applicable law and the facts. It establishes reasoned and balanced decision standards that cannot be misused by activists to shut down or restrict traditional summertime access or activities.

While ISMA supports the Wyoming Alternative's concepts, we believe some modifications to the Wyoming Alternative's details are needed. ISMA's specific recommended modifications to the Wyoming Alternative are outlined in Appendix I.

#### **Banning Snowmobiles: A Political Gesture**

A 1995 animal rights activist's lawsuit provided the Clinton Administration the pretext to ban snowmobile use of the YNP and GTNP roads. The lawsuit argued winter grooming of roads allowed bison to leave YNP where the animals might be shot.<sup>4</sup> All credible studies indicated and continue to demonstrate that this argument is without merit. Nonetheless, the previous Administration settled the case with the activists by agreeing to examine a ban on snowmobiles and a ban on road grooming and plowing in winter.

As the ban proposal proceeded, the bison pretext was quickly forgotten. It was replaced by a specious new theory that 65,000 snowmobiles, limited to portions of the road system, were polluting the air, destroying wildlife, and destroying opportunities for wilderness experiences. It

<sup>4</sup> Bison carry an infectious disease - brucellosis - that can be transmitted to cattle and elk. Montana and Wyoming have initiated programs, that include culling, to keep infected bison away from cattle and elk outside of the park.

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didn't matter that there were no facts to back up these political conclusions. Indeed, when ISMA and others presented information that new generations of snowmobiles were about to become available that would be cleaner and quieter, and solve any air quality or sound issues that may exist, these facts were dismissed as conjecture and speculation.

A vicious anti-snowmobile bias was demonstrated by the snowmobile ban and selection of the "snowcoach only" option in the initial Record of Decision. Roads would still be plowed and groomed (so much for the bison out-migration issue) and all winter use would be via snowcoach – winter "mass transit" as described by snowmobile opponents. Snowcoaches are essentially small buses on tracks. Some are over 40 years old, and others are track equipped van conversions that are noisy, uncomfortable and very expensive. The vehicle emission standards for snowcoaches are not regulated.

#### A Dangerous Precedent

The ban decision rests on a determination that 65,000 snowmobiles limited to 185 miles of the road system would cause "impairment" of Park resources. "Impairment", a legal standard newly defined in the closing days of the Clinton Administration, was alleged to be caused by (1) emissions from 65,000 snowmobiles, (2) impact on "natural soundscapes" (i.e., snowmobiles could be heard along the road system), and (3) "disturbance" of individual animals although there were no adverse effects on wildlife numbers or populations. These standards and low thresholds of impact, when equally applied to summer visitation, would compel the banning of automobiles, RVs and SUVs from the parks. Clearly, 1.5 million autos, buses and trucks create more emissions than 65,000 snowmobiles, especially when the new cleaner snowmobiles are considered. Noise along the 275 miles of road from over 1.5 million motorized vehicles has much greater impact on the "natural soundscape." Lastly, "disturbance" of individual animals along the road system is a daily event in these parks. ISMA contends that if the arbitrary and capricious ban decision standard is left in place, environmental activists will ultimately use the standard underlying the snowmobile ban to compel closure or severe restrictions on summer automobile use. Indeed, snowmobile opponents have made it clear that they want autos banned and summer visitors similarly confined to "mass transit" access.

#### Facts: Snowmobile Emissions and Air Quality

The DSEIS demonstrates that at present there are no violations of Clean Air Act National Ambient Air Quality standards within YNP or GTNP. All applicable ambient air standards are being satisfied. Even in the area where emissions concerns have been the greatest (the 15 mile road segment from the West Yellowstone entrance gate to Madison Junction), concentrations of NAAQS constituents are well below ambient air standards. The applicable standard for carbon monoxide (CO) is 23 parts per million (PPM) and present winter levels (with full snowmobile use) are 14.8

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parts per million or 36 percent below the standard. Similarly, the standard for particulate matter (PM) is 150  $\mu\text{m}^3$  and present levels are only 33.7  $\mu\text{m}^3$  or 78 percent below the allowed level.

There are short-term concentrations of emissions at the West Yellowstone entrance gate when large numbers of snowmobiles line up at the tollbooths to pay park entrance fees; this same phenomenon occurs in the summer. First, the effect of these concentrations are overstated by the use of models - not empirical data - that wrongly multiply emissions concentrations. Reputable observers have noted that these models can exaggerate predicted emissions by a factor of six. Empirical data continue to show emissions below applicable NAAQS standards. Second, the Park Service has already taken recent action to pre-sell entrance tickets and work with snowmobile renters to stagger entrance times into the YNP. This rational management action has substantially diminished traffic congestion and reduced emissions concentrations at the gate.

Notwithstanding the absence of any air quality violations, ISMA and the snowmobile community have supported the use of new technology snowmobiles in Yellowstone. The new generation of machines reduce emissions between 70 and 95 percent. As a result, the DSEIS estimates that conversion to new technology will reduce emissions 84 percent along the West Yellowstone-Madison Junction stretch: CO will decline to 2.4 PPM and PM to 5.4  $\mu\text{m}^3$ .

In contrast, totally banning snowmobiles and substituting snowcoaches does not provide appreciable incremental air quality benefits.

It is critical to note that within the DSEIS all predicted snowmobile emissions impacts are overstated. Consequently, there are substantially greater benefits from converting to new technology snowmobiles than depicted in the DSEIS. As previously noted, about 65,000 snowmobiles use the YNP road system each winter. However, the DSEIS emissions predictions are based on approximately 166,000 snowmobiles entering the park each season. Apparently, NPS simply took the maximum allowed snowmobiles at each gate and multiplied these numbers by the number of winter use days. This yielded 166,000 entries and became the basis of inflated emissions projections. More accurate, and substantially lower, emissions projections should be based on maximum historic use levels (e.g., 65,000 entries).

Emissions reductions of this magnitude, from a starting point well within established limits of the Clean Air Act and NAAQS standards, demonstrate there is no bona fide air quality related basis for prohibiting snowmobiles, especially the new generation of sleds, from using portions of the parks' road systems.

For this reason, among others, ISMA strongly recommends the Wyoming Alternative be modified to provide for the mandatory conversion to new technology sleds of only the rental fleet.

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As these sleds constitute 70 percent of the snowmobile entries, conversion of the rental fleet only will provide for substantially cleaner air as well as improved quiet. NPS has the authority to regulate providers of commercial services, but does not need to regulate individual entrants. As an analogy, the NPS does not turn away older autos from the park in the summer – the NPS need not engage in this form of snowmobile enforcement in the winter.

#### Facts: Snowmobiles and Natural Soundscapes

One pretext for banning snowmobiles was adverse impact on “natural soundscapes” and visitor opportunities for “wilderness experiences” in YNP. This contention ignores 100 years of fact: the existence of “two parks” (i.e., the area along the historic road system and the two million plus acres of roadless backcountry). There has been no “natural soundscape” along the road system since the first Model A’s entered Yellowstone at the beginning of the 20<sup>th</sup> Century. As noted above, all visitors seeking quiet and solitude – in winter or summer – simply need to use muscle power to leave the road system behind and access the 99 percent of the park that is wilderness.

ISMA also presented information (before the ban decision was made) that the new generation of snowmobiles would be substantially quieter, and that conversion to new technology would dramatically reduce noise concerns. These new machines are quieter than standard two stroke snowmobiles and snowcoaches. The new sleds are also quieter than buses, trucks, RVs, and motorcycles, which regularly use the park roads during the non-winter months.

The DSEIS confirms that conversion to the new sleds assures that more of YNP will be subject to the conditions of natural soundscape. The use of the quieter machines will limit noise impacts to a total of 182, 500 acres along the road system. That means snowmobiles will not even be audible on over two million acres of YNP. In contrast, the snowmobile ban/snowcoach-only option (Alternatives 1a and 1b) has greater adverse impacts on the soundscape. Because the snowcoaches generate more noise, sounds from these machines will be audible on over 199,000 acres along the road system.

Furthermore, when the snowmobile ban was announced, it was never explained why sounds along the road system from 65,000 snowmobiles necessitated a ban but the sounds from 1.5 million autos, buses, trucks, SUVs, RVs, and motorcycles did not. Once again, ISMA is persuaded that allowing the ban decision to stand will create a terrible precedent and induce litigation from environmental activists seeking to severely restrict summertime motorized access to road systems in YNP, GTNP, and other National Parks.

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#### Facts: Snowmobiles and Wildlife

Wildlife is thriving in Yellowstone. The bison herd regularly exceeds 3000 animals and elk are so abundant that there are concerns about overpopulation. Grizzly bear numbers have reached record highs and wolves have been successfully reintroduced. Over 6 million visitors are able to enjoy this vast array of wildlife which is routinely visible (and numerous) along the road system. Indeed, traffic jams caused by the presence of bison, elk, moose, and mule deer along the roads are a summer staple in the park. These animals, like most ungulates, habituate readily to the presence of humans and routinely accept and tolerate the presence of motor vehicles along the road system. Those animals that do not habituate merely leave the roaded areas and take refuge in the over two million acres of roadless backcountry.

There is absolutely no evidence that the winter use of snowmobiles on the road system has an adverse effect on the park’s wildlife populations. When snowmobiles first entered YNP in the early 1960s, the bison population was 388. As snowmobile use grew, the bison population marched steadily upwards, and today the bison population exceeds 3,000 animals. Elk populations routinely exceed 20,000 animals, and there is a continuing concern that the elk population may be too high.

Elevating mere “disturbance” of individual animals to a basis for banning an activity is extremely dangerous. A determination that disturbance of wildlife is flatly “unacceptable” (see DSEIS, p. 217) would effectively convert all parks into biospheres under glass. All interaction between humans and wildlife can create “disturbance.” The only way to avoid such disturbance would be to put parks off limits (“under glass” if you will) and ban visitation of all kinds.

Anglers should be extremely concerned about the precedent that would be set if a snowmobile ban were to be adopted. Fishing is an enormously popular activity in Yellowstone. Most fishing is catch and release, but even that practice generates fish mortality of about one percent. Of course, hooking a fish, fighting it, landing it, unhooking it and releasing it clearly disturbs the fish. A standard that deems any disturbance to be flatly unacceptable, and the legal equivalent of “impairment,” must result in the prohibition of angling.

One feature of the road grooming process has created limited problems for some individual animals. Bison will sometimes enter a groomed road and be between groups of snowmobiles or snowcoaches. The presence of a high snowbank can inhibit an animal from leaving the road which can create the same kind of traffic jam experienced in the summer months. A recently adopted management action provides for plowing regularly spaced openings in the roadside snowbanks to enable bison to more readily exit the road when approached by snowmobiles or snowcoaches. These kinds of reasonable management actions were previously disregarded in the rush to ban traditional winter recreation use.

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It is also worth noting that studies in YNP indicated wintering animals are subjected to greater stress by cross country skiers and snowshoers than by snowmobiles. Most animals, habituated to autos in the summer, are similarly habituated to the presence of snowmobiles and snowcoaches in winter. In contrast, less habituated or more sensitive animals that avoided the road system would demonstrate heightened signs of agitation and stress when approached by backcountry visitors on skis or snowshoes. DSEIS, p. 126. Despite empirical evidence that these forms of recreation cause stress (i.e., disturbance) to individual animals, no one has proposed banning these traditional forms of recreation.

#### **NPS Authority Is Limited**

The Clean Air Act imposes limits on the ability of NPS to regulate exhaust emissions. Statute (see 42 U.S.C. § 7521 et seq.) Case law determinations are clear that this specific authority is vested in the federal Environmental Protection Agency (EPA) and the states. It is imperative that NPS keep these limitations in mind as it completes this SEIS process and proceeds with a new record of decision.

ISMA recognizes NPS does have the authority to regulate the provision of commercial services within units of the National Park System. ISMA suggests the NPS exercise this authority with regard to the entities, which rent snowmobiles for use within YNP and GTNP. In ISMA's view, this is the best means of assuring rapid conversion of the rental fleet to the new generation of cleaner, quieter snowmobiles. It would be fully appropriate for NPS to adopt or reference in some fashion the snowmobile emission standards now being promulgated by EPA. This would ensure consistency with the Clean Air Act and assure that NPS is not venturing directly into the realm of establishing numerical emissions standards for mobile sources.<sup>5</sup>

#### **The "Guide" Requirement: An Affront**

Alternative 3 permits snowmobiles to enter the parks on the road system, but only when in a group accompanied by a NPS guide. ISMA opposes this alternative as wholly unnecessary and an affront to thousands of responsible law abiding winter visitors to these parks. There is no basis in fact or law to impose second-class status on winter visitors and require that they can only visit their parks in the company of a government-approved chaperone. No such effrontery has been imposed or proposed on spring, summer or fall visitors although that could clearly follow adoption of this unwarranted alternative.

<sup>4</sup> The legal analysis of the Clean Air Act and NPS authority is attached in Appendix II.

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#### **Specific Comments**

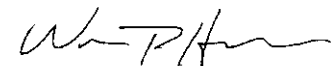
Specific comments related to pages iii through 283 of the DSEIS are attached in Appendix I.

#### **Conclusion**

There is no reasoned basis in fact or in law to ban snowmobiles operated by individuals from use of the road systems in Yellowstone and Grand Teton National Parks. The decision to ban snowmobiles was a political gesture that ignored or disregarded the facts. Present snowmobile use in the parks is consistent with clean air standards, does not impact the natural soundscape beyond the parks' road system, and does not impact wildlife populations.

The snowmobile ban, if allowed to stand, would establish a legal precedent that threatens traditional summer use in Yellowstone and all national parks. It bases the ban on (1) exhaust emissions from 65,000 sleds, (2) effects on "natural soundscapes", and (3) disturbance of individual animals. It establishes that incredibly low thresholds of impact mandate prohibition of traditional activities. If left standing, it will be impossible to justify (and continue to permit) 1.5 million autos, SUVs, buses, and trucks to continue to use the park road system. These vehicles create emissions in excess of those associated with snowmobiles. These hundreds of thousands of vehicles generate much more noise than a limited number of snowmobiles. These same vehicles routinely "disturb" wildlife throughout the spring, summer, and fall in the form of dozens of daily bison, elk, or moose "jams." Failure to reverse the unwarranted ban decision puts millions of traditional park visitors at risk throughout the breadth of the National Park System.

Sincerely,



William P. Horn  
Counsel to ISMA

Enclosure

## APPENDIX I

SPECIFIC COMMENTS

Overall the DSEIS contains rhetoric and references that are not supported by the actual facts contained and presented in the document. In general, it appears that much of the statement was written by those attempting to defend the ban decision. Where the facts presented demonstrate that conversion of the rental fleet to cleaner and quieter snowmobiles (i.e., the modified Wyoming Alternative) will produce measurable benefits, this is only grudgingly acknowledged. Where other benefits of conversion are similarly clear, there is unjustified speculation that these benefits may or may not come to pass. The document needs a thorough editing to ensure that its rhetoric matches the presented facts.

Page iii – ISMA is not the only party in the suit. Others include the Blue Ribbon Coalition, the Wyoming Snowmobile Association, two individuals and the State of the Wyoming as a plaintiff-intervenor.

Page iv – The references to NPS legal mandates fail to include the public use and enjoyment mandate in the 1916 National Park Organic Act (16 U.S.C. § 1) and the “pleasuring ground” mandate of the Yellowstone Park Act (16 U.S.C. § 21).

Page v – The characterization of the “existing condition” in the parks is grossly inaccurate. One reference to “affordability” as a limiting factor for snowmobile use is utter nonsense. Snowmobiling is a relatively low cost form of recreation and cost is not a barrier to participation particularly given the fact that 70 percent of snowmobile entries in YNP are on rental sleds. If cost is a barrier, there is no need to impose additional restrictions on use.

A second inaccurate reference relates to specious conclusions that snowmobiles adversely affect solitude and quiet. As noted in the introductory comments, there are effectively “two parks” within YNP (and GTNP): the road system and the backcountry. Opportunities for solitude and quiet are almost non-existent along the road system in all seasons. Visitors seeking these amenities have access to the 99 percent of the parks that are totally off limits to motorized vehicles – snowmobiles, snowcoaches, or autos.

The description also fails to note that snowmobiles are limited to those portions of the road system specifically groomed for such use. It inaccurately implies that snowmobiles have the run of the parks, which is simply false. This implication is used as misinformation by many anti-snowmobile interests.

Page ix – The discussion of “natural soundscapes” fails to correctly depict the real on-the-ground situation (i.e., there is no natural soundscape along the road system in any season of the year).

Page x – The references to Air Quality are misleading. There is no reference to the fact that there are no violations of applicable NAAQS ambient air standards within the parks associated with winter use. The summary fails to note that Alternative 2, which provides for use of cleaner and quieter snowmobiles, offer substantial clean air benefits on par with the clean air benefits of the ban/snowcoach-only approach.

Page x – The discussion of Socioeconomic Effects severely understates the adverse impacts of the ban/snowcoach only plan on local economies and local government tax revenues and services. For example, Wyoming studies indicate that the snowmobile ban will decrease expenditures within the State by \$36.8 million. This diminished revenue is expected to cause a loss of 938 jobs and \$11.8 million in labor income. Local government revenues would decline \$1.3 million. These are substantial adverse impacts arising for the ban alternatives.

Pages x-xi – The summary disregards facts contained elsewhere in the DSEIS and mistakenly concludes that Alternative 2 will have the “greatest” impact on wildlife. It is impossible for 65,000 snowmobiles operating on less than two-thirds of the road system to have greater impacts on wildlife than more than 1.5 million autos, buses, RVs, trucks, and motorcycles operating on the full 275 mile road system.

Page xi – References to “health and safety” create the misimpression that 65,000 snowmobiles cause greater risk to human health and safety than over 1.5 million autos, buses, RVs, trucks and motorcycles.

Page xv – The acreage impact numbers demonstrate that a modified Wyoming Alternative will have less impact on natural soundscapes than the ban/snowcoach-only approach. The summary should include a reference to the de facto existence of the “two parks” and the relative consequences of the alternatives along the road system as distinct from the backcountry.

Page xv – The total emissions estimates are simply wrong and grossly overstate the prospective emissions associated with the Wyoming Alternative or modifications. Actual emissions will be only 65 percent of what is depicted on the summary chart. The NPS mistake arises from predicting emissions based on approximately 166,000 snowmobiles entering YNP each winter although winter use has stabilized at approximately 65,000 entries.

Page xvi – It is terribly misleading to imply that a majority of local citizens oppose the use of snowmobiles on portions of the YNP/GTNP road system. No facts bear out this misleading implication.

Page xvi – See comments regarding page x.

Page xvii – Summaries of health effects does acknowledge that new technology snowmobiles do produce lower emissions. The chart then proceeds to improperly and inaccurately speculate that contrary to the facts, the benefits associated with conversion to cleaner and quieter machines “could” be offset by greater numbers of machines entering the parks.

Page xviii – It is simply wrong to depict that the Wyoming Alternative diminishes opportunities for quiet and solitude compared to the ban/snowcoach-only option. As demonstrated elsewhere in the document, machine noise will be audible on 182,540 acres under the Wyoming Alternative. In contrast, machine noise will be audible on 199,000 acres under the ban/snowcoach decision. See Table 77, p. 220. Unless NPS is engaging in some form of “new math,” 182,540 are fewer acres subject to oversnow vehicle noise than 199,000. By accepted arithmetic, the conversion to cleaner and quieter snowmobiles means almost 17,000 additional acres available for quiet and solitude by backcountry users.

Page 1 – For comparative purposes, the number of non-winter visitors to the parks should be added.

Page 2 – ISMA strongly disagrees that 65,000 snowmobiles restricted to 185 miles of the 275 mile road system has caused any “impairment” of park resources. That conclusion is a trumped up political decision that disregards the law and ignores the facts. As previously noted, the ban decision concocts its “impairment” finding on the grounds that 65,000 snowmobiles restricted to portions of the road system are excessively polluting, disturb some individual animals, and reduce opportunities for quiet and solitude. If such low impact thresholds do constitute “impairment”, then traditional summer use of these parks, and others, must be severely restricted if not banned. It is undisputed that over 1.5 million autos, buses, trucks, RVs, and motorcycles generate more air emissions, disturb more wildlife, and have a greater impact on quiet and solitude. If these legal conclusions regarding “impairment” are allowed to stand, then visitation to the vast majority of our national parks will be at risk.

Page 7 – ISMA disagrees that the executive order regarding off-road vehicles is applicable in this case. All public use of snowmobiles in YNP and GTNP is limited to the road system – there is no off-road use of snowmobiles in these parks except by Park Rangers on backcountry patrol.

Page 14 – The “Desired Condition” ought to be amended to reflect the facts and conditions within these parks. For example, it refers to a goal of assuring that recreational experiences not “irreparably impact the experiences of other park visitors.” This is largely impossible as different activities and experiences have impacts on the subjective aesthetic values of different sets of visitors. Banning snowmobiles to accommodate the aesthetic experiences of cross-country skiers will irreparably impact a group of users that constitute over 60 percent of winter visitors. The objective must be restated to assure that a variety of uses and users are accommodated and management measures should seek to separate conflicting user interests. In fact, that occurs now with backcountry users having 99 percent of these parks available to them while motorized users (winter or summer) are restricted to the road system.

ISMA has concerns about the objective that “winter recreation complements the unique characteristics of each landscape within the ecosystem.” We don’t know what this means. Under applicable law, the standard is to assure that no “impairment” of resources occurs and this is substantially different from a requirement to assure “complement.” It is unlikely that allowing a snowmobile or snowcoach (or auto in the summer) to drive into the parking lot adjacent to Old

Faithful “complements” the geyser basin’s ecosystem or landscape. It is true, though, that neither the snowmobile nor the auto is causing impairment.

The outline of a “Desired Condition” cannot be allowed to create extra-legal requirements or standards that thwart the public use and enjoyment features of the 1916 Organic Act or the 1872 Yellowstone Park Act.

Page 15 – The reference to snowmobile “trails” is wrong as there aren’t any.

Page 16 – ISMA directs the NPS attention to the legal analysis contained in Appendix II of these comments regarding the agency’s lack of authority to impose specific mobile source emissions standards. Notwithstanding this lack of specific authority, ISMA is committed to working with NPS to assure that the agency can use its other authorities to achieve an appropriate conversion to the use of new technology cleaner and quieter snowmobiles within these parks.

Page 18 – ISMA strongly supports the mitigation measure of periodically “laying back” roadside snowbanks to help wildlife exit the groomed stretches of roadway. See also p. 35.

Pages 18-19 – ISMA supports the array of proposed management actions specific to YNP and GTNP. These kinds of reasonable specific actions will redress a number of identified concerns and effects associated with snowmobile use. These kinds of actions, not a politically motivated ban, are consistent with the facts and the law.

Page 20 – ISMA supports the use of bio-fuels and synthetic lubricants in all snowmobiles entering these parks.

Page 29 – The document tries to explain why summer visitation issues are not addressed at all. It grossly miscomprehends the issue – ISMA is not seeking to directly compare winter and summer use. Rather, all users must appreciate that the legal and factual standards that govern management of winter use must also be applicable to summer use. This is never explained in the DSEIS and appears to be a deliberate attempt to “hide the ball” and prevent the public from fully appreciating the impact that a decision on winter use will have on summer use and visitation.

Page 38 – ISMA strongly opposes Alternatives 1a and 1b. As described in our pleadings to the U.S. District Court, adoption of either of these Clinton-era alternatives will violate the law and be arbitrary and capricious.

Page 39 – Snowmobiling is a highly affordable and enjoyable form of family recreation. If cost were a significant barrier to participation (as the DSEIS wrongly implies), we would not be fighting over snowmobile access to these parks.

Page 44 – The following are ISMA’s proposed modifications to Alternative 2 (the Wyoming Alternative):



Substitute Page  
Per May 30 letter  
file

(1) Snowmobiles –Requirements applicable only to all rental and outfitter sleds (70+% of existing use). For winter use season 2004-05 and all subsequent years, only those production model snowmobiles that will generate early reduction exhaust emissions credits related to the final EPA Exhaust emission standards shall be offered for rental and use in these parks. For winter use season 2010-11 and subsequent seasons, only snowmobiles that generate credits under the final standard may be offered for rental and use in these parks. These requirements shall be enforced through National Park Service commercial services/concessions authorities including the use of commercial use authorizations or incidental business permits.

Sound levels for all rental/outfitter sleds shall meet SAE standards applicable to each snowmobile's model year. SAE standards are reviewed regularly and adjusted to reflect changing technology.

(2) Interim Use limits should be modified to reflect and retain for three years numbers reflecting historic use at each entrance gate.

Page 51 – We strongly support these specific management actions in conjunction with the Wyoming Alternative as modified above.

Page 52 – ISMA strongly opposes Alternative 3 as an unwarranted affront to the freedom of our citizens. Winter visitors operating snowmobiles on a groomed road system do not need a NPS guide. Summer visitors are free to operate motor vehicles along the road system and do not need a NPS guide to tell them how to behave, comply with the law, and enable them to enjoy their park. Winter visitors on snowmobiles are not second class citizens and do not need "big brother" Ranger to tell them what to do and how to behave. Frankly, this alternative is an exercise in high handed arrogance by the NPS and is an affront to thousands of law abiding citizens exercising their ability to use and enjoy their parks. We note again, if the visitors on snowmobiles are forced to have NPS guides, "green" activists will soon be clamoring to compel summer visitors to visit only in the company of guides.

Page 84 – ISMA reiterates its commitment to have sufficient numbers of new technology snowmobiles available to assure conversion to the cleaner, quieter machines for use within these parks pursuant to the proposed modifications of Alternative 2. Any intimations that sufficient numbers of new sleds will not be available is simply wrong. ISMA was appalled to see this issue raised by mid-level regional EPA functionaries. ISMA was never contacted by any representative of that office and had such contact occurred, EPA would have been presented with the facts.

Page 88 – We are glad to see acknowledgment that NPS has purchased 31 of the new cleaner, quieter snowmobiles and note that over 100 new sleds were part of the rental fleet in 2001–2202.

Page 99 – The numbers are skewed to purportedly show a majority of local residents around the parks oppose the use of snowmobiles along the road system. Careful review of the footnote reveals, however, that it is a majority of "non-motorized" users (i.e., cross-country skiers and

snowshoers) who oppose snowmobile use. This kind of misleading depiction of facts is a consistent problem throughout the document and provides evidence of a continued bias against snowmobile access.

Page 115 – A sentence wrongly states that interaction between humans and wildlife "often" results in conflicts. Each day throughout the year there are dozens of daily interactions between wildlife and visitors. The overwhelming number of interactions are benign, ordinary, and without any "conflict."

This discussion also fails to address or discuss the health of wildlife populations. Long-standing NPS policy has been to focus on the health of aggregate populations rather than the welfare of individual animals. It was only a few years back that the Rocky Mountain Bighorn Sheep in YNP contracted a disease that caused many to go blind and perish in falls from mountainsides. Proposals to treat the animals were rebuffed by NPS on the basis that individual animal welfare is not the basis on which management decisions are made. Similarly, the bison management plans for YNP are based on the health of the bison herd – not individual animals. Indeed, NPS accepts that many individual bison may be killed. This long-standing policy was disregarded in the political decision to ban snowmobiles. Suddenly, indications of stress or agitation in individual bison became a specific basis for banning a long accepted form of recreation (i.e., snowmobiling). The SEIS must be amended to reflect the long-standing policy and return the focus to wildlife populations. Of course, wildlife populations in these parks are not adversely affected by winter use (or summer use) including snowmobile use on limited portions of the road system.

Page 118 – ISMA strongly disagrees with the conclusion that "oversnow motorized use" causes "adverse" effects on wildlife. There may be temporary minimal effects on individual animals but this has not translated into adverse effects on populations which is the basis for NPS management. Once again, if short-term disturbance of individual animals becomes a basis for prohibitions and closures, traditional summer use of YNP and GTNP cannot be legally sustained.

Page 119 – The DSEIS equates wildlife "disturbance" with "impairment." If this is the case, then its time to recognize that our parks have turned into biospheres under glass and all visitations must cease. This apparent political conclusion is not supported by the facts presented in the document. On page 124, for example, it notes that "bison use of groomed roads comprises a relatively small portion of their time in winter." Consequently, to the degree that there is disturbance, it is short term and minimal in nature hardly equating to legally proscribed "impairment."

Page 124 – In a similar vein, the DSEIS observes that there is "no evidence that current levels of snowmobile activity are affecting population dynamics for either wolves or elk." ISMA agrees and offers this as clear evidence that no impairment of park wildlife resources is occurring as a result of snowmobile access along the road system.

Page 125 – Again, the DSEIS facts are contrary to the notion that disturbance equates with impairment: "bison and elk appeared to habituate as exposure to traffic increased throughout the winter recreation season." Furthermore, (on page 126) it is acknowledged that "winter recreation

in YNP is co-existing with bison and elk without causing declines in population levels, and that continued use of traditional winter ranges remains essentially unchanged despite a substantial increase in winter visitation."

Page 126 – In contrast, there is evidence that activity by cross-country skiers and snowshoers is having more deleterious effects on wildlife: "overall, off-trail travel (skiers, snowshoers) induced the most behavioral responses in both species." By the ban standard (i.e., disturbance equals impairment), these two activities ought to be prohibited.

Page 127 – The DSEIS offers a purely editorial comment that every visitor should have an opportunity to enjoy a natural soundscape. ISMA agrees and notes that on only 182,540 acres of YNP's 2,200,000 million acres will oversnow motorized sounds be audible under a Wyoming Alternative. Over 2 million acres are (and will be) available to visitors to enjoy a natural soundscape. However, there has not been a natural soundscape along the road system for over a century. If the law (or NPS management policies) mandates providing a natural soundscape along the road system, autos will have to be banned along with the snowmobiles.

Page 131 – ISMA notes that 62 percent of winter visitors to YNP use snowmobiles. In contrast, only 1 percent use cross-country skis. The 62 percent are limited to portions of the road system and may not access over 99 percent of the park on their sleds. In contrast, the one- percent have the entire park at their disposal.

Pages 134-136 – A driving force behind the ban was worry about "exploding" winter use. This worry is misplaced and not consistent with the facts. Figures in the DSEIS demonstrate that snowmobile use has declined in recent years and flattened. Cross-country skiing continues to decline from a peak of 7875 in GTNP in 93/94 to only 4774 in 00/01.

Page 166 – The conclusion does not accurately reflect the facts contained in the previous material and fails to correctly state or depict the benefits associated with a modified Wyoming Alternative. It focuses instead on "possible" problems for individual visitors susceptible to respiratory problems and speculates that the demonstrable benefits associated with conversion to cleaner and quieter machines "may" be offset by increased numbers of snowmobiles entering these parks. We note that many citizens with respiratory problems are advised not to travel to high altitude destinations.

Page 168 – The possible effects on NPS employees arising from enforcing a cleaner/quieter snowmobile requirement on all snowmobile entries is a good reason to limit the mandatory conversion to rental sleds only.

Page 174 – The reference to Appendix A appears to be incorrect.

Page 176 – We strongly agree that ambient air readings on PM can serve as a surrogate for hydrocarbon (HC) emissions. However, as ISMA has previously communicated to NPS, there is no accepted engineering protocol or test standard to measure PM emissions from individual snowmobiles.

Page 177 – Reputable experts unaffiliated with ISMA have severely criticized the emissions factors and conclusions presented within Tables 41 and 42. This is evidence of the shoddy "science" that underpins the previous decision to ban snowmobiles. As noted elsewhere, sound science and accurate facts demonstrate that use of new technology snowmobiles within the parks will further improve already outstanding air quality.

Pages 181-186 – The text in these pages must be rewritten to accurately present the facts as revealed in Tables 44 through 50. The critical fact is that a modified Wyoming Alternative provides superior clean air benefits compared to Alternative 1b (a ban/snowcoach-only option). For example, four sets of numbers are presented for carbon monoxide at the West Entrance gate (the sole location in the parks where emissions come close to approaching the ambient air standards): 1 hour and 8 hour concentrations with and without background CO included. Alternative 1b violates the ambient air standard for (a) one hour without background, (b) one hour with background, and (c) nearly violates the eight hour standard with background (i.e., 22.54 PPM, standard is 23 PPM). In contrast, the Wyoming Alternative satisfies the standards in three of four cases and in the one case, complies with the standard (8-hour concentration with background) in the second year. The text, however, misleadingly leaves the reader with the sense that Alternative 1 is superior. The purported "mass transit" benefits of snowcoaches (e.g., reduced emissions per visitor) were a cornerstone of the ban decision. Facts reveal this analysis was wrong and that in reality, conversion to new technology snowmobiles will produce superior "emissions per visitor" factors. For example, the snowcoaches emit 99.2 gms/mile of CO under a full load. These vehicles have averaged 6.7 visitors per trip yielding an emissions per visit rate of 14.8. In contrast, a four stroke snowmobile emits only 17.3 gms/mile of CO. Average use is 1.2 visitors per entry yielding an emissions per visit rate of 14.4. Conversion to new snowmobile technology produces superior clean air benefits compared to snowcoaches only.

Page 205 – Typical of the grudging acknowledgment of the benefits of a Wyoming Alternative, the text concludes that "Alternative 2 would have moderate beneficial impacts on air quality." The benefits are more than moderate and conversion to cleaner and quieter snowmobiles would demonstrably improve the quality of the already extremely clean air present in these parks.

Page 208 – The DSEIS finally acknowledges what all observers know to be an established fact: ungulates such as bison and elk readily habituate to the presence of humans and motor vehicles. Once again, though, there is an attempt to explain away this accepted fact by adding a gratuitous observation to the effect that even when habituated, animals "may" experience increases in heart rates and that this "can," but may not, result in energy expenditures. If the NPS decision standard is that possible elevated heart rates and possible energy expenditures constitute disturbance, which in turn equals "impairment," all national parks with wildlife will be instantly converted into biospheres under glass and all visitation prohibited.

Page 215 – The opening sentence of the "Effects of motorized oversnow use" is typical of the anti-snowmobile bias that runs throughout the document. It slyly references that certain effects "can" occur. It does not even attempt to indicate that elsewhere it is made clear that these possible

effects are unlikely or improbable. Moreover, this same list of effects may also be associated with motorized vehicle use in the summer months.

Page 216 – ISMA has expressed repeated concern that the Clinton Administration action would lower the impact thresholds to a point that most forms of visitation to parks will have to be terminated. One sentence on this page demonstrates both the anti-visitation bias in the DSEIS and the consequences for summer visitors if the ban decision standard is allowed to stand: “Although winter recreation within the park has not clearly demonstrated any long term adverse consequences to populations, park policies, regulations, and Executive Orders clearly state that disturbance to wildlife, regardless of population-level effects, is unacceptable in the national parks (emphasis added).” Note, however, that the section finally has to acknowledge that snowmobile use has no demonstrated adverse effects on wildlife populations in the parks and that impacts on individual animals will be moderate and temporary.

Page 220 – The misleading nature of the written text continues. A simple but critical fact is buried in Table 77: the Wyoming Alternative assures that more of the park will enjoy a natural soundscape compared to the ban/snowcoach-only. However, this critical benefit and contribution to the “Desired Condition” is not highlighted or even mentioned in the text. The Table demonstrates that oversnow motorized vehicle noise will be audible on 199,000 acres under the ban/snowcoach only Alternatives. In contrast, such noise will be audible on only 182,540 acres under the Wyoming Alternative. Rather than feature this key fact, the text focuses instead on how audible motorized vehicle noise will be along the road system. ISMA maintains that the proper analysis of impacts must acknowledge the existence of the “two parks” and focus on maintaining natural soundscapes in the backcountry rather than imposing this unattainable standard along the road system. Of course, if natural soundscapes are mandatory along the road system, summer motor vehicle use must also be banned or severely curtailed.

Page 222 – In discussing noise standards and decibels, the logarithmic nature of the dba scale needs to be explained briefly. The reviewing public needs to understand a reduction of only 3 decibels means a 50 percent reduction in perceived noise. In this regard, the text must note that the new generation of snowmobiles are approximately 50 percent quieter. As recent studies demonstrate, snowcoaches are the noisiest oversnow vehicles at approximately 78.4 dba. Standard two stroke snowmobiles register approximately 73-74 dba and new four strokes at approximately 71 dba. These results are pursuant to the recognized SAE J192 test procedure.

Page 228 – Table 80 is an egregious example of the anti-snowmobile bias in the document. It demonstrates to the knowledgeable reviewer that the new snowmobiles are substantially quieter and much quieter than snowcoaches and buses. However, it goes on to compare noise output and compares GROUPS OF SNOWMOBILES to INDIVIDUAL autos, buses, and snowcoaches. We note that other noisy motor vehicles, used routinely in the parks (i.e., motorcycles, trucks, SUVs, RVs) are conspicuously absent from the chart.

The Table also makes a case for banning snowcoaches and buses. Single snowcoaches or buses are audible from over 1.6 miles and more than one mile respectively in open terrain under average conditions. A single cleaner and quieter snowmobile is audible for only 0.66 miles under

the same conditions. As was presented in earlier sections of the DSEIS, the noise from the very loud snowcoaches penetrates farther into the backcountry and eliminates natural soundscapes over a greater area. The same is true for tour buses in the summer.

Page 229 – ISMA points out that Tables 81 and 82 provide evidence that the Wyoming Alternative provides superior benefits in terms of noise reduction and maintaining more natural soundscapes in the Yellowstone backcountry. Much of the focus has been on noise impacts on the West Entrance to Madison road segment and the area around Old Faithful. The Tables demonstrate that snowcoach noise (under the ban decision) will be audible for over 4 miles from both areas. In other words, a cross country skier will have to venture more than 4 miles from the road to escape the grinding sound of the snowcoach. In contrast, conversion to cleaner and quieter snowmobiles (under the Wyoming Alternative) has noise reaching at most only 2.6 miles into the backcountry. You will search the text in vain, however, to find a clear description of the noise reduction benefits of the Wyoming Alternative.

Page 248 – Table 92, “Definition of impacts to the natural soundscape” utterly fails to recognize that there are “two parks”: the area along the road system and the backcountry. It sets forth a definition of “adverse major effect” that clearly encompasses the noise to be found along the road system throughout the year. If snowmobiles are to be banned because of an “adverse major effect” along 184 miles of the road system, there will be no basis in fact or law to continue to permit over 1.5 million autos, buses, trucks, SUVs, RVs, and motorcycles to inflict similar noise impacts along 275 miles of road system.

Specifically, an “adverse major effect” is defined as a condition “with an easily recognizable adverse effect on the natural soundscape or potential for its enjoyment” and where man-made noises are audible 50 percent or more of the time. This describes the road system especially in the summer months. Autos are free to drive the road system 24 hours a day and during the long daylight hours of summer, largely continuous traffic occurs in popular areas such as Old Faithful for at least 12 to 16 hours daily. ISMA submits that auto, bus and truck noise is “easily recognizable” and is clearly occurring for more than 50 percent of the time during the popular summer months. Again, if this kind of low threshold of impact is used to ban snowmobiles, the exact same standard can (and will) be used or misused to drive autos from these parks.

Page 249 – The discussion on the top of the page is a bald attempt to obfuscate the benefits associated with the Wyoming Alternative and mislead the reviewing public. The discussion is predicated on “if” the Matrack snowcoaches are available and makes unwarranted assumptions about these vehicles. In reality, the snowcoaches being used are the old Bombardier models which are extremely noisy (78.4 dba at 30 MPH) and are audible for greater distances than snowmobiles. The Matrack’s are not appreciably quieter registering a very loud 78.3 dba in recent Wyoming tests. As the following paragraph eventually acknowledges, the old Bombardier snowcoach “produces a low-frequency tone that can be heard for long distances.” It is also finally admitted that “in the ‘audible at all category,’ alternatives 1a and 1b affect the greatest acreage.”

Page 251 – The obfuscation continues with the representations that Alternatives 1a and 1b would have less impact on the natural soundscape compared to the conversion to cleaner and quieter snowmobiles. This is simply wrong.

This error is compounded by the conclusion that the ban/snowcoach-only option would have only “adverse minor impacts.” However, this conclusion is contingent on the recognition that it is accurate only “IF aging and loud snowcoaches were to be replaced (emphasis added).” A more forthright and honest presentation of facts and effects is needed.

Page 257 – A critical fact related to the purported benefits of Alternatives 1a and 1b is buried on this page. It notes that “only snowcoaches that can meet strict sound standards would be allowed in the parks.” There is one problem – there are no indications that anyone is prepared to manufacture a limited number of snowcoaches that would meet the NPS strict standards. We hear rumors of NPS expenditures to develop a new prototype snowcoach, but the agency has not been forthcoming with any facts. If such new snowcoaches are unavailable, then winter access will be completely eliminated under these Alternatives. On the other hand, if existing snowcoaches are still allowed to operate, the impacts on quiet and solitude are much greater than the impacts of a modified Wyoming Alternative. These clear choices need to be spelled out in the document.

Page 258 – ISMA strongly disagrees with the conclusion that the ban/snowcoach-only approach would result in “major beneficial improvements to the experiences of park visitors.” That conclusion does not square with the facts and seems to represent more of the political theater that typified the ban action. Nearly two-thirds of Park visitors have already made it clear that they enjoy access via snowmobiles and enjoy the related experiences. This clear majority of visitors would have their experiences diminished, not improved, by banning snowmobiles and forcing everyone into noisy, crowded snowcoaches.

Page 262 – Another example of a gratuitous observation that is a jibe at snowmobiles and inconsistent with known facts states that under the Wyoming Alternative on high use days, “wildlife viewing would rarely be a solitary experience.” Wildlife viewing along the road system is rarely a solitary experience, in winter or summer, and anyone seeking solitude along the road system has totally unjustified expectations. The seeker of solitude needs to exercise the effort to reach the over 2 million acres of backcountry completely free of roads, motorized vehicles, and associated sounds. This silly conclusion also fails to recognize that under the “mass transit” snowcoach-only approach, wildlife viewing will *never* be a solitary experience (except by a lonely driver!).

Page 264 – We agree with the conclusion that “opportunities for quiet will increase” under the Wyoming Alternative.

Page 266 – Another gratuitous, subjective comment evidencing bias against snowmobiles is found under “safety”. It relates that winter visitors could “perceive” unsafe conditions and that there would be the “possibility” of snowmobile accidents. A sensitive summertime visitor can “perceive” unsafe conditions among the more than 1.5 million autos, buses, and trucks while there is always the “possibility” that there will be accidents between or among these hundreds of thousands

of vehicles. If such perceptions and possibilities are a basis of the snowmobile ban, it will be impossible to justify continued auto access in the face of similar perceptions and possibilities.

Page 268 – ISMA strongly challenges the conclusion requiring all winter snowmobile visitors to be accompanied by a NPS guide will improve safety and education. As we noted much earlier, winter visitors are not second class citizens incapable of visiting their parks without a nanny in the form of a NPS guide. The guide requirement feature of Alternative 3 is an affront to thousands of law abiding responsible winter visitors. Can we expect NPS to propose that the more numerous summer visitors will also need government nannies or guides?

Page 273-274 – Impairment is the critical legal determination to be made in any park management decision. Since 1916, the National Park Organic Act has prescribed that visitor use and enjoyment shall be provided subject to a requirement that park resources not be “impaired” by such activities. For almost all of the 20<sup>th</sup> century, NPS employed a reasonable interpretation of this term consistent with the clear intent of the statute. Road systems were constructed in many parks, lodges built and operated, marinas established, trail systems created, water and sewer systems put in place, and campgrounds constructed and maintained and all of these actions, often with substantial on-the-ground effects, were determined not to cause “impairment.”

Careful review of the legislative history of the 1916 Act makes it clear that “impairment” referred largely to activities such as major development activities (i.e., the construction of the Hetch Hetchy Dam in Yosemite National Park pursuant to the Raker Act for San Francisco’s water supply; other commodity activities with major adverse impacts on scenic vistas, etc.). Developments to accommodate visitors, and related visitor activities, were considered beneficial to the Park System and outside the intended definition of the term. Within Yellowstone, a 275 mile paved road system was constructed and six major visitor centers with lodging, campgrounds, restaurants, gas stations, and stores were constructed. Over 1.5 million autos, buses, and trucks have traveled the 275 mile road system each year and never have these facilities or related visitor activities been deemed to cause proscribed impairment.

Unfortunately, this reasonable and traditional situation may change. At the very end of the Clinton Administration, wholesale changes were made in the definition of the term “impairment.” In a set of actions occurring as late as January 8, 2001, the term was redefined in an extraordinarily open-ended and subjective manner. Suddenly, “impairment” can result from “an impact to any park resource.” In addition, “impairment” was deemed to be any activity, that in the judgment of an NPS official, “would harm the integrity of park resources or values.” Notice the impacts need not be significant, material, appreciable, or adverse – any impact can become impairment. And note too, the key term “integrity” is not defined.

This new highly subjective standard was used to ban snowmobiles by determining that emissions from snowmobiles, vehicular sounds along the road system, and disturbance of individual animals constituted impairment. It dropped the impairment standard so low that virtually any form of visitor activity in these parks, or others, will become subject to prohibition.

ISMA recommends in the strongest terms that the new leadership use the discretion inherent in the subjective definition of impairment to restore a measure of reason to the term. Application of a reasoned and measured definition of impairment, consistent with the intent of the 1916 Act, will assure that adoption of a reasonable alternative, such as a modified Wyoming Alternative, can be selected completely consistent with the agency's legal duties and obligations.

Page 283 – ISMA agrees that grooming of roads for snowmobile or snowcoach use is not a primary impetus for bison migrating out of the parks in winter. The notion that the groomed and plowed roads was a primary factor in bison out-migration has been discredited. We note that this was the theory underlying the original animal rights activists' lawsuit seeking to ban snowmobiles (and snowcoaches too) and although discredited, became the pretext for action against traditional snowmobile access to YNP and GTNP.

## APPENDIX II

### A. NPS Authority to Regulate Snowmobile Emissions

The National Park Service lacks authority to take actions that effectively regulate mobile sources of air emissions. Congress' sole grant of such authority was to the Administrator of the Environmental Protection Agency and the States.

*(1) Title II of the Clean Air Act only grants authority to regulate mobile non-road sources of air emissions to the Administrator of the Environmental Protection Agency and the States*

The structure of the Clean Air Act makes it clear that Congress intended mobile sources of emissions to be regulated, if at all, solely by the Administrator of the Environmental Protection Agency and the various States. In Title II of the Clean Air Act, Congress established a comprehensive federal scheme for the regulation of mobile source emissions. Congress' only grant of authority to regulate such emissions in Title II was to the Administrator of the U.S. Environmental Protection Agency ("EPA") and the States. See 42 U.S.C. § 7521 et seq. Nowhere in Title II is there any grant of authority to other federal agencies to independently take actions that regulate mobile sources emissions or have the effect of doing so.

Congress granted EPA the primary responsibility to regulate mobile non-road sources of emissions in Title II of the Clean Air Act. Under Section 213(a)(2) and (3) of the Clean Air Act, EPA may establish emission standards for CO, NOx and VOCs for a class or category of non-road engines and vehicles if it determines that such non-road sources contribute significantly to ozone or carbon monoxide concentrations in more than one ozone or carbon monoxide nonattainment area, and if it determines that the subject class or category of vehicle or engine causes or contributes to such air pollution. EPA may establish non-road emission standards for other pollutants under Section 213(a)(4), but only after determining that (i) such emissions significantly contribute to air pollution that may reasonably be anticipated to endanger public health and safety, and (ii) the subject class or category of non-road vehicles or engines causes or contributes to such air pollution. EPA has already regulated several classes of non-road sources pursuant to this authority, and recently proposed a new rule that would establish national emission standards for snowmobiles. See 66 Fed. Reg. 51098 (October 5, 2001). While EPA's authority to do so is questionable when it has not first established that snowmobiles either cause or significantly contribute to the pollution it is seeking to control,<sup>1</sup> it is clear that Section 213 of the Clean Air Act vests sole authority to make such determinations, when supported, in EPA.

<sup>1</sup> See Comments by the International Snowmobile Manufacturers Association Regarding Notice of Proposed Rulemaking, January 18, 2002.

Nowhere in Title II of the Clean Air Act did Congress grant any authority whatever to any other federal agency or department to regulate emissions from mobile sources or take actions that have the effect of regulating mobile source emissions. Indeed, the only other governmental authority allowed to regulate mobile source emissions under Title II are the States. Under Section 209(e), the States are generally preempted from regulating non-road emissions. However, the State of California may regulate non-road sources if its standards are at least as protective of public health and welfare as applicable Federal standards and if it has applied for and received a waiver of preemption to promulgate such standards from EPA. The other States may also regulate non-road sources, but only if their standards are identical to standards for which California has received a waiver of preemption from EPA. While this federal scheme allows California and the States to have a role in regulating non-road sources, it vests sole authority with EPA to set the baseline federal standards against which the State standards are compared. Nowhere does this scheme contemplate another federal department or agency establishing or taking actions which effectively establish competing federal standards.

The entire structure of the Clean Air Act is consistent with a Congressional purpose to make EPA the single federal body authorized to actually regulate emissions from mobile sources. In Title I of the Clean Air Act, which addresses stationary sources of emissions, Congress directed that the Secretaries of federal departments with authority over federal lands (Federal Land Managers or "FLMs") be given a consultative role in setting emission standards for stationary sources, not mobile sources. Under Title I's "Prevention of Significant Deterioration" ("PSD") program, an FLM may file a notice with a State that "the emissions from a *proposed major emitting facility* may cause or contribute" to a change in air quality in a Class I Area (which include the National Parks), in which case a permit for that stationary source facility will not be issued unless the operator of the facility demonstrates that emissions of particulate matter and sulfur dioxide will not exceed the maximum allowable increases for a Class I Area. 42 U.S.C. § 7475(d)(2)(C)(i), (iii). The FLM may also attempt to block a permit from being issued to "*such facility*" even in cases where emissions will not cause or contribute to a change in air quality for a Class I Area but only if the State concurs. 42 U.S.C. § 7475(d)(2)(C)(ii). Denial of a permit under this section is reviewable by the Governor of the State, and appealable to the President of the United States. 42 U.S.C. § 7475(d)(2)(D). The FLM's consultative role under this program is limited to taking actions as a result of emissions from *proposed major emitting facilities* (stationary source power plants), and does not provide FLMs with any authority whatever to take actions as a result of emissions from mobile sources. Moreover, the FLM's authority to regulate such sources under this provision is limited by the States.

Similarly, the FLM's role under Title I's Regional Haze program is merely consultative. Under the Regional Haze program, the Secretary of the Interior, in consultation with other FLMs, must provide EPA with a list of those Class I Areas where visibility is an important value of the area. 42 U.S.C. § 7491(a)(2). The authority to take action on that recommendation, however, remains vested with EPA, which is the sole

federal body authorized by Congress to promulgate regulations to address such visibility impairment. 42 U.S.C. § 7491(a)(4). There is nothing in this section to even suggest that FLMs have the authority to take actions independent of EPA to address such visibility concerns. As a result, FLMs such as the National Park Service cannot rely on this provision to take actions that effectively regulate mobile source emissions. Moreover, as discussed in our comments to EPA's proposed rule, even EPA's authority to regulate mobile source emissions based on these provisions is suspect. To the extent that mobile sources are involved at all in EPA's recently promulgated final rule on Regional Haze, EPA merely requires that states include "consideration of other CAA measures." 64 Fed. Reg. at 35733. States merely have to "take into account, at a minimum, the effect of measures to meet the NAAQS, the national mobile source program, and other applicable requirements under the CAA." *Id.* Thus, there is no independent authority in the Clean Air Act to promulgate mobile source emission standards based on regional haze or visibility concerns. Rather, the regional haze and visibility programs explicitly recognize the national mobile source program, i.e. Title II of the Clean Air Act (including section 213), as the sole basis for promulgating mobile source emission standards.

It is telling that Congress specifically provided for limited participation by the FLMs for stationary sources of emissions in Title I, but made no mention of FLMs whatever in Title II, which grants sole authority to regulate mobile source emissions to EPA and the States. Had Congress wished to provide for such a participatory role by the FLMs in Title II of the Act, it certainly could have done so. As the Supreme Court recently made clear, however, "[w]here a statute ... names the parties granted [the] right to invoke its provisions, ... such parties only may act." *Hartford Underwriters Insurance Company v. Union Planters Bank, N.A.*, 530 U.S. 1, 6 (2000) (*citations omitted*). This is particularly true where one statute specifically grants such authority and another does not. "A situation in which a statute authorizes specific action and designates a particular party empowered to take it is surely among the least appropriate in which to presume nonexclusivity." *Id.* That Congress granted such authority only to EPA and the States in Title II, and not to FLMs, is surely indicative of its intent to limit the participation of FLMs to stationary source emissions. As a result, any action by the NPS that would have the effect of regulating emissions from mobile sources is *ultra vires*. As the Supreme Court has admonished, such actions go beyond the limits of the authority Congress granted. "Regardless of how serious the problem an administrative agency seeks to address, ... it may not exercise its authority in a manner that is inconsistent with the administrative structure that Congress enacted into law." *FDA v. Brown & Williamson Tobacco Corp.*, 529 U.S. 120, 125 (2000) (*citations omitted*). For the NPS to take any action in regard to snowmobile emissions based on air emissions would be inconsistent with Congress' sole grant of authority to do so to EPA and the States, and would thwart its intent that mobile sources be regulated, if at all, by EPA at the federal level and by the States at the local level.

(2) *The National Park Service lacks independent enabling authority to adopt requirements that in effect operate as emission standards*

The statutory authority of the National Park Service to regulate activities in the national parks does not go so far as to allow it to take actions reserved for EPA and the States. As discussed above, nothing in the Clean Air Act allows federal agencies other than EPA to regulate mobile sources of pollution. Nothing in the National Park Service's implementing Acts allow it take such actions either.

The National Park Service has been granted broad authority under the Organic Act and the General Authorities Act to regulate activities in national parks. 16 U.S.C. § 1 et seq. The National Park Service must "promote and regulate" the national parks so as to conserve their scenery, historic objects and wildlife in a way that "will leave them unimpaired for the enjoyment of future generations." *Id.* Pursuant to this authority, the Secretary of the Interior may establish regulations "as [s]he may deem necessary or proper for the use and management of the parks, monuments, and reservations under the jurisdiction of the National Park Service..." 16 U.S.C. § 3. In doing so, "[t]he authorization of activities" in the National Park System "shall be construed and the protection, management, and administration of these areas shall be conducted in the light of the high public value and integrity of the National Park System and shall not be exercised in derogation of the values and purposes for which these various areas have been established, except as may have been or shall directly and specifically provided by Congress." 16 U.S.C. § 1a-1.

While this grant of authority to regulate the use and management of the national parks may be broad, it is a general grant of authority that must be read in light of the general mandate of the National Park Service, which is to protect the use and management of the national parks, not to independently regulate mobile source emissions. Nothing in either the Organic Act, the General Authorities Act, or the establishing Acts for Yellowstone, Grand Teton or the John D. Rockefeller, Jr. Memorial Parkway allows the National Park Service to take actions inconsistent with EPA's nationally applicable mobile source emission regulations. Indeed, Congress specifically recognized that the National Park Service's authority to regulate activities in the National Parks could be limited by another Act of Congress. *See* 16 U.S.C. § 1a-1. Title II of the Clean Air Act, which reserves sole power to regulate mobile source emissions to EPA and the States, operates in such a manner to limit the authority of the National Park Service to regulate mobile source emissions in the National Parks.

As discussed previously, Congress had a choice when it came to regulating mobile sources of emissions in the national parks. It could have reserved sole power to EPA and the States, or could have allowed the Director of the National Park Service or the Secretary of the Interior to participate in the setting mobile source emissions as Federal Land Managers or otherwise. Because Congress chose the former, the National Park Service's attempt to regulate emission standards from snowmobiles in this draft winter use plan is quite simply beyond its authority. As federal courts have admonished, the authority granted to the National Park Service to regulate activities in the national parks is not without limits, and does not extend so far as to allow it to regulate activities that Congress has directed be regulated by a different federal agency under a

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APPENDIX II

## LAW OFFICES

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May 30, 2002

Mr. Steve Martin  
Supintendent  
Grand Teton National Park  
c/o Planning Office  
Winter Use Draft SEIS Comments  
Grand Teton and Yellowstone National Parks  
P.O. Box 355  
Moose, WY 83012

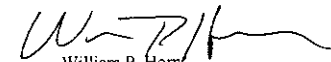
Re: Comments on Draft Supplemental Environmental Impact Statement

Dear Mr. Martin:

Regarding the comments filed by the International Snowmobile Manufacturers Association (ISMA) on the Yellowstone and Grand Teton National Parks Winter Use Management DSEIS, we have changed our paragraph (1) on page 5 of Appendix I. Please substitute the enclosed page for page 5 of Appendix I.

Thank you.

Sincerely,

  
William P. Horn  
Counsel to ISMA

Enclosure

Done

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May 29, 2002

Mr. Steve Martin  
Superintendent  
Grand Teton National Park  
c/o Planning Office  
Winter Use Draft SEIS Comments  
Grand Teton and Yellowstone National Parks  
P.O. Box 355  
Moose, WY 83012

**Re: Comments on Draft Supplemental Environmental Impact Statement for Winter Use Plans of Yellowstone and Grand Teton National Parks, and the John D. Rockefeller, Jr., Memorial Parkway.**

Dear Mr. Martin:

The following comments are submitted on behalf of International Leisure Hosts, Ltd., dba Flagg Ranch (Flagg Ranch) regarding the Draft Supplemental Environmental Impact Statement (SDEIS) for Winter Use Plans of Yellowstone and Grand Teton National Parks, and the John D. Rockefeller, Jr., Memorial Parkway. 67 Fed. Reg. 15223-24 (2002).

**Summary:**

In January 2001, the National Park Service (NPS) issued an ill-conceived decision to ban snowmobile access to the Yellowstone and Grand Teton National Parks, and the John D. Rockefeller, Jr., Memorial Parkway (the Parks). This excessive, unjustified, politicized decision ignored the fact that snowmobiles, as they are currently used in the Parks, do not endanger Park wildlife or the environment. Further, as older, existing snowmobiles are replaced gradually by models with new technology, their minimal impact on ambient air quality within the Parks will be further reduced. The effects of snowmobile use on the wildlife and the environment at the Parks is minuscule, especially compared with the impact of the 1.5 million cars, trucks, buses, and motorcycles that rumble through the Parks during the non-winter months.

Restrictions on snowmobile access to the Parks are unnecessary. There is no legal or factual justification for restrictions, because present snowmobile use does not threaten the clean air standards, does not threaten wildlife, and does not impact the "natural soundscape" beyond

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the road systems within the Parks. In fact, with the advent of automobile traffic through the Parks near the beginning of the last century, the term, "natural soundscape" ceased to have much meaning along the road systems within the Parks.

Further, any ban or severe restriction on snowmobile access by the NPS would constitute a breach of its contract with Flagg Ranch, which requires Flagg Ranch to provide snowmobile rentals and tours, and the NPS to provide access to the Parks.

The SDEIS proposes four alternatives for comment. While we do not believe any action is necessary, of the four Alternatives proposed, we strongly support Alternative Number 2, which is a reasonable compromise. Alternative 2 provides rational, common-sense limits on the use of snowmobiles, while preserving at least some of the rights of park visitors who wish to enjoy the park experience during winter by way of snowmobile.

**Comments on Each Alternative:**

(a) **Alternative 1A**, the no action alternative, would provide a total phase-out of snowmobile access to the Parks beginning with the 2002-2003 season, followed by wintertime access only by motorized snowcoach. **We strongly oppose this alternative.** This mass-transit, one-size-fits all approach is unacceptable to the many park visitors who wish to participate in the wintertime park experience without being crammed into the functional equivalent of winterized city buses. Alternative 1A is the political approach championed by the previous Administration, which used a lawsuit filed by animal rights extremists as a pretext to ban snowmobiles from the Parks.

This unjustified assault threatens all Park visitors, not just wintertime snowmobilers. If Alternative 1A is selected, it will become impossible for the NPS to justify continuing to allow access by the 1.5 million motorized vehicles that travel the Parks' more than 300-mile, paved road systems for three seasons each year. This endangers the rights of millions of Park visitors to enjoy their Parks.

(b) **Alternative 1B** is identical to Alternative 1A, except that the phase-out of snowmobile access to the Parks would begin one year later. **We oppose this alternative** for the same reasons stated above in opposition to Alternative 1A. Simply put, there is no justification for these restrictions, and delaying their implementation briefly does not make them any more defensible. While it would be preferable to have one additional year of access, the end result is the same: an unfair, unwarranted ban on access to the park by visitors who enjoy winter use of the Parks by snowmobile.

(c) **Alternative 2** is the only compromise alternative, and the only alternative that preserves the rights of winter users of the Parks who wish to enjoy the Parks using snowmobiles. **We strongly support Alternative 2.** This alternative, developed by the Cooperating Agencies, led by the State of Wyoming, attempts to balance the interests of those who wish to limit



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snowmobile access because of environmental concerns with those who wish to retain their right to use snowmobiles responsibly in the Parks.

Under Alternative 2, snowmobile use in the Parks will continue to be restricted to the road system. Further, 70 percent of snowmobiles entering the Parks will be required to be "new technology" snowmobiles, which are quieter and produce fewer emissions. Additional restrictions under this Alternative, such as limits on the total number of snowmobiles allowed at any one time and other common-sense management practices, will ensure that snowmobiles can safely and successfully coexist with the environment and other Park users.

This alternative preserves the mission of the National Park Service, as laid out in the NPS Organic Act: "to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." 16 U.S.C. § 1. Because any other Alternative would prohibit the "enjoyment" of the Parks by snowmobilers, without providing any evidence whatever that their continued access will in any way impair "the enjoyment of future generations," Alternative 2 is the only decision which complies with the mission of the NPS.

(d) **Alternative 3** would place severe and completely unwarranted restrictions on snowmobile use in the Parks. **We strongly oppose this Alternative.** Snowmobiles would be banned under this Alternative, except for a very limited number, much smaller than under Alternative 2, and NPS guides would be required. There is no factual or legal basis for these requirements, which are designed to inhibit those who wish to enjoy the Park by snowmobile.

#### Contract Issues

Flagg Ranch currently operates under a concession contract with the NPS, entered into on October 30, 1989, and with a term (as amended) of January 1, 1990 to December 31, 2009. Among the services this contract requires Flagg Ranch to provide are snowmobile rentals and guided snowmobile tour services. Flagg Ranch believes that implementation by the NPS of a snowmobile ban would constitute a breach of its concession contract with the NPS. In fact, on February 20, 2001, Flagg Ranch filed a formal claim with the NPS stating that the snowmobile ban and snowplowing restrictions in the NPS final rule of January 22, 2001 (66 Fed. Reg. 7260) were inconsistent with the Record of Decision for the NPS Winter Use Plan issued December 22, 2000 - and would also operate as an anticipatory repudiation of its concession contract with the NPS.

Flagg Ranch is under contract with the NPS to rent snowmobiles to park visitors. If those customers cannot use snowmobiles to visit the parks in the wintertime, then the contract is a nullity. Its concession contract with NPS required Flagg Ranch to make extensive capital investments to renovate the Ranch facilities, including constructing a new lodge, 92 additional guest rental cabins, and a new laundry and maintenance facility. Flagg Ranch also was required

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Grand Teton and Yellowstone National Parks  
Page 3

to relocate the existing Riverside Motel Complex from the Snake River riparian zone to an adjacent upland bench. Honoring its contractual obligations to the NPS has cost Flagg Ranch approximately \$9 million. The NPS recognized Flagg Ranch's satisfactory performance of the terms of the contract when it awarded them an extension of the contract term until December 31, 2009.

According to financial projections by the NPS and Flagg Ranch, in order for Flagg Ranch to recover these extensive capital investments and make a reasonable profit under the contract, it would be necessary for them to be able to provide road access in winter and full winter services, such as snowmobile rentals, for the duration of the contract. As a result, the contract specifically authorized snowmobile tours, rentals, and related winter uses of the Parks, and Flagg Ranch relied on these representations, understandings, and contract terms to expend millions of dollars in improvements. Precluding Flagg Ranch from offering its guests all the winter activities envisioned under the contract, including snowmobile rentals and tours, would materially alter the terms of the contract and make it impossible for Flagg Ranch either to carry out its contractual obligations or to recoup its capital investments.

By materially altering the terms of the contract in this fashion, the NPS would be putting itself in breach of the concession contract with Flagg Ranch. A basic tenet of contract law provides that if either party fails to comply with a contract's specific terms and obligations, that party is in breach and the injured party is entitled to recover damages. This legal standard applies to contracts with state entities as well as among private parties. The Federal Court of Claims has stated, "when entering into contracts, the Government may include any number of promises to conduct itself in a certain way... If the Government then violates those promises, it may become liable for damages for breach of contract." *Nutt v. U.S.*, 12 Cl. Ct. 345, 351 (1987).

Additionally, any cessation in plowing the roadways that would be used by guests of Flagg Ranch would constitute a breach, as they would render performance impossible. In fact, in a December 14, 1999, letter to Flagg Ranch, Superintendent of Grand Teton National Park Jack Neckels promised "that even if the winter use plan calls for a change in plowing or snowmobile staging that would affect your business, that portion of the plan would not be implemented until after your current contract expires in 12/31/09." Mr. Neckels stated further that "this date could only be sooner if Flagg Ranch Resort requests renegotiation of the terms and conditions of its winter operation." Flagg Ranch has relied upon these assurances, and any change in their terms would constitute a breach of the contract and make the NPS liable for damages as a result.

We appreciate your accommodation in considering Alternative 2 in your Winter Use decisionmaking, but it is really the only viable Alternative: the NPS cannot move forward under any of the other Alternatives without breaching its contract with Flagg Ranch and any other similarly situated concessions. Alternatives 1 and 1A both constitute an outright ban on snowmobiles, as discussed above. Alternative 3 is nearly as bad - it would severely limit the number of snowmobiles allowed in the park, and would require NPS guides to accompany all

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snowmobiles. This would be an unwarranted and untenable restriction on the ability of Flagg Ranch to perform under the contract. Only Alternative 2 would allow both the NPS and Flagg Ranch to continue to meet their respective contractual obligations.

### Conclusion

The NPS has provided neither a legal, nor a factual, justification for its attempts to ban snowmobiles from the Parks. We believe this is an unwarranted, politically motivated effort to trample the rights of Park visitors who enjoy the use of snowmobiles responsibly, for the benefit of environmental and animal-rights extremists. Present use of snowmobiles does not in any way endanger wildlife or the environment. Indeed, the 1.5 million cars, trucks, and buses that roar through the Parks every other season of the year pose vastly greater risks to air quality, wildlife, and the general peace and quiet of the Parks. If snowmobiles are banned on this flimsy pretext, then all motorized traffic will be next – including the huge snowcoaches with which the NPS proposes to replace snowmobiles.

Snowmobiles, and the park visitors who enjoy the park experience by using them, are being unfairly singled out by the NPS without justification. Cars, buses, trucks, and motorcycles pose a far greater threat to the Parks. Further, we believe the NPS has not adequately considered the impact of modern, ecologically sound snowmobiles that are much less environmentally harmful than their predecessors – and that are certainly less polluting than the huge, heavy diesel-powered snowcoaches. Not all park visitors wish to enjoy the winter landscape at our great National Parks only from within a motorized snowcoach, and there is no justification for forcing this upon them.

Further, Flagg Ranch is under contract with the NPS to rent snowmobiles to park visitors. If the customers cannot use the snowmobiles to visit the Parks, or if unwarranted and unreasonable restrictions are applied, then the contract will be impossible to perform and NPS will be in breach of the concession contract. This impact on Flagg Ranch is unfair and unwarranted.

For the above reasons, although no restrictions at all are warranted legally or scientifically, we support Alternative 2 as the most reasonable, sensible compromise.

Sincerely,

**BIRCH, HORTON, BITTNER  
AND CHEROT**

Douglas S. Fuller

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## INTERNATIONAL LEISURE HOSTS, LTD.

dba Flagg Ranch Resort

May 17, 2002

Planning Office  
Grand Teton National Parks  
P.O. Box 352  
Moose, Wyoming 83002

Re: Supplemental Environmental Impact Statement ("SEIS")

Dear Superintendent:

Flagg Ranch Resort strongly supports Alternative 2 of the Draft SEIS that was developed by the Cooperating Agencies, because it would allow continued access to Yellowstone and Grand Teton National Parks for both guided and unguided snowmobiles, which, per our contract, we are allowed to offer through December 2009.

Flagg Ranch Resort is a subsidiary and the only business of International Leisure Host, Ltd., ("ILHL") which is a public corporation with approximately 600 stockholders. Flagg Ranch Resort is operated under National Park Service ("NPS") Concession Contract CC-JODR002-90 through the year 2009. I am the majority stockholder of ILHL and I am presently active in the management of Flagg Ranch.

**As part of the present concession contract it was required that the COMPLETE facility, cabins, lodge, gas station, employee housing and all supporting buildings, be relocated from the area adjacent to the Snake River to a new location approximately 1/2 mile north and away from the main highway.** This move required a very significant capital investment by ILHL, **to date approximately nine million dollars.** and this investment and commitment for future capital improvements were made based on Flagg Ranch operating with both the summer and winter business, as it had prior to the present contract and since the start of the present contract in 1989. The present contract as well as its original request for proposal make representations which indicate Flagg Ranch would be allowed and in some cases required to operate as it has during the life of the contract. The relocation of Flagg Ranch Resort is about 95% complete and will be completed this year. We have carefully analyzed the effect of the SEIS relative to the future operations of Flagg Ranch and have determined that if some of the changes proposed by the SEIS are required by the NPS it will not be financially feasible for Flagg Ranch to operate in the winter and will make the rate of return well below a reasonable rate of return. The contract stipulates that capital investments will not be required if it prevents the concessioner from making a reasonable rate of return from the complete concession operation

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Superintendent  
Grand Teton National Park  
May 17, 2002  
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- **Adoption of Alternative 1a or 1b will be in direct violation of our contract.** The limitation and eventual elimination of snowmobile access to Yellowstone and Grand Teton Parks is likely to constitute a breach or constructive termination of our concession contract and we will be entitled to recover damages. **The interim snowmobile use limits of Alternative 1b will limit our ability to operate.** During the winters of 2003-2004 visitation by snowmobiles will be limited to levels of 50% of the current average daily use. We feel that this will make it extremely difficult if not impossible for us to offer reservations and guarantees to our customers concerning the rental and use of our snowmobiles. It may be difficult for us to open and operate in a reasonable manner with these limit restrictions. These limitations, we believe, are also a breach of our concession contract.

**FLAGG RANCH NEGOTIATED AND ENTERED INTO THE CURRENT CONCESSION CONTRACT IN GOOD FAITH WITH THE U.S. GOVERNMENT.** Terms of this contract require us to pay an ongoing fee and also required us to completely rebuild or move our facilities, lodge, cabins, support structures, etc., from a location next to the Snake River to a new location located a quarter mile to the North. We have completed over 95% of this requirement at a cost of approximately \$9 million dollars. We expended these funds based on the future receipt of both summer and winter revenues over the entire twenty year length of the contract to recover this investment. The elimination of a major portion of our revenue for six of those twenty years is an obvious and blatant breach of contract.

- **Alternative 1a and 1b which are the snowcoach only alternatives are not financially feasible.** The snowcoach only alternative is not viable and will not work for Flagg Ranch or for the other concessioners providing tours of Yellowstone Park. Alternatives 1a or 1b will create a classic Catch-22 situation.

Presently available snowcoach vans, which consist of four wheel drive converted passenger vans with mattracks, have not proven reliable and comfortable. We don't believe they provide a reasonable alternative for seeing the Parks during the winter. Currently no better option is available. The only vehicle being developed that might provide an adequate amount of comfort and safety is still in the early stages of development but is projected to cost in excess of \$150,000 each for fifteen passenger capability.

For our operation at a minimum we would have to purchase 15 vehicles. Depending on the type of vehicle, our total investment would be about \$1.05 million dollars to as much as \$2.25 million dollars for a snowcoach with acceptable safety and comfort features.

Maintaining the level of business we currently have with snowmobile rentals will require a sizable financial investment for new snowcoaches, which will result in average ticket prices

Superintendent  
Grand Teton National Park  
May 17, 2002  
Page 3

increasing from the present \$100 per person charge to \$200 to \$400 depending on the type of snowcoaches purchased. We feel that snowcoach demand at a \$100 ticket price will be less than 50% of current combined snowmobile and snowcoach demand. At a \$200 ticket price this will drop to 25% of current demand and at a \$400 ticket price less than 10%. Even if our projections are off by a factor of two, the revenue generated will still not provide enough to warrant purchasing new snowcoaches and keeping Flagg Ranch open in the winter.

Since we don't believe the market will support the snowcoach only alternative with higher ticket prices we are caught in a Catch-22 situation. We simply cannot afford to take the gamble that the business will be there to justify such a high capital outlay with no assurances or cost sharing from the Park Service. But there is no way to find out if the market is there without taking such a risk. We are not willing to do so and we firmly believe no other concessioners will be willing to take such a risk either.


Please see the attached copy of a letter from a consortium of snowcoach operators in Yellowstone and Grand Teton Park that addresses this same issue.

- **Alternative 3 which does allow snowmobile access to the Park, requires that all snowmobiles be accompanied by an NPS permitted guide.** While this alternative might otherwise be acceptable to Flagg Ranch, our contract does allow us to rent guided and "unguided" snowmobiles. Part of Flagg Ranch's appeal during the winter season is our ability to rent unguided snowmobiles. This sets us apart from many of the other snowmobile operators in and around the Jackson Hole area. We are concerned that if the unguided snowmobiles are eliminated our revenue base will shrink and the benefit of the winter season will be substantially reduced, negatively affecting our overall profitability and limiting our recovery of the funds we have expended to replace and/or move our facilities as required by our contract.
- **The SEIS statement that actions that substantially effect an existing contract will be renegotiated or implemented when a new contract is awarded results in a contradiction.** There is no doubt that eliminating snowmobile access to the Parks substantially affects Flagg Ranch's existing concession contract. Based on Chapter I (page 17 under "Implementation") of the SEIS' statement that "If it can be demonstrated sufficiently for NPS to determine that an implemented action has affected or would substantially affect a concession operation prior to the expiration of its contract, the action will be implemented only through negotiation **or when a new contract is awarded** (emphasis added)" then, absent any renegotiation, the elimination of snowmobiles should not take place until after our contract expires in December, 2009. This obviously is in direct conflict with Alternatives 1a and 1b that state, after either the winter of 2002-2003 or the winter of 2003-2004, snowmobiles will no longer be allowed access to the Parks.

Superintendent  
Grand Teton National Park  
May 17, 2002  
Page 4

Alternatives 1a and 1b and to some extent Alternative 3, in their present form, will materially alter the terms of the National Park Service's contract with Flagg Ranch. By adopting any of these alternatives, the Park Service would effectively terminate or minimize the Ranch's winter operations and render it unable to protect its investment, recover its costs, or realize a reasonable profit

Sincerely,



Michael P. Perikly  
President

Attachment

# GRAND TETON LODGE COMPANY

GRAND TETON NATIONAL PARK  
BOX 250  
MORAN, WYOMING 83013

OFFICE OF THE VICE PRESIDENT

April 9, 2002

Planning Office  
Grand Teton National Park  
P.O. Drawer 170  
Moose, WY 83012

Dear Sir,

In reviewing the latest Draft Supplemental Environmental Impact Statement it would be my suggestion that a combination of alternative 2 and 3 would be most appreciated.

I would recommend alternative 2 for Emission and Sound and alternative 3 for Interim Limits and Phase In Period. I think alternative 2 should be considered for Access with the addition of the road north of Colter Bay Village becoming an oversnow route only after 2009. Alternative 2 should be considered for Wildlife, Winter Season and Interpretation and Orientation. As far as Air Quality and Natural Soundscape, the strictest requirements of all the alternatives should be used.

I believe that cleaner and quieter snowmobiles can be developed and their use can be controlled. For those of us who snowmobile, we should expect limited but controlled access to our National Parks.

Thank you,



Clay James  
Vice President & Chief Operating Officer

CJ/sc


JACKSON LAKE LODGE

JENNY LAKE LODGE

COLTER BAY VILLAGE

JACKSON HOLE GOLF & TENNIS CLUB

307.543.2811

 Printed on recycled paper



May 28, 2002

Winter Use Draft SEIS Comments  
Grand Teton and Yellowstone National Parks  
P.O. Box 352  
Moose, Wyoming 83012

Planners,

MatTracks, Incorporated supports the National Park Services Winter Use Plans Supplemental Draft Environmental Impact Statement: Alternative 1, and we would like to forward additional suggestions.

We suggest that the passenger capacity of the units used in the National Parks should be six (6) to fifteen (15) passengers, inclusive of the driver/guide. Capacity less than that and you are not accomplishing the National Parks objective of fewer units in the Park. Any more than that and you start to run into vehicles that would congest pathways (coaches not being able to meet on the trail) because of their size, or damage the Park because of their weight. If the National Park Service wishes to investigate a greater capacity unit, we would like to be part of, and contribute to, that process.

For the protection of the National Park, its workers, and its visitors, only rubber track systems that have been tested and "safety approved" by a Government approved testing facility should be allowed for use within the Parks.

The vehicles need to meet EPA Emission Standards for use on highways and public roads. The Federal Government has documentation that shows the benefits when EPA Emission Standards are used. No "New" snow coach licenses should be issued to vehicles that predate highway emission standards. "Off road" vehicles have no emission standards. The National Parks Service's "Winter Use Plans Supplemental Draft Environmental Impact Statement: Alternative 1" leaves it open that any vehicle manufactured for "off road" use, having no emission standard, would still qualify for use in the park. Allowing vehicles that are "off road" or vehicles that predate highway emission standards does not enable the National Park Service to accomplish their air quality objective. If we wish to protect our National Parks, it's employees and it's visitors from air pollution, the use of EPA Emission Standards for vehicles that meet "Highway Standards" for the year and model are necessary.

Noise pollution is also a concern. Front steer, rubber "four tracked" vehicles, moving six (6) to fifteen (15) passengers at a time, meet the noise level standards and would allow

the National Park to achieve their objective of reduction of units in the Park and reduction of units that produce excessive noise

Front steer, rubber "four tracked" vehicles are quiet in operation versus a cleated or a metal track. This provides the visitor with a more pleasurable Park experience. Another advantage with rubber tracks is that it provides a light, non-aggressive footprint. Rubber tracks allow the vehicle to travel on a variety of surfaces from sand, snow, gravel, or blacktop with minimal damage to the terrain or road surface. This would allow the National Park Service the option for longer tourist season that could start earlier and end later. Bare or open sections of roadways would not be a concern with rubber tracks. Vehicles with two tracks (skid steer), or articulating four tracks, can damage the terrain or road surface when turning. Vehicles with metal cleats or vehicles with skis can also damage the terrain or road surface when they are not covered with snow.

We suggest that the vehicle should also be of a single inclusive enclosure for driver and passengers. Here are the benefits. You have the ability of the driver/guide to monitor the safety of his passengers. Secondly, monitoring and interacting with the passengers increase the passenger's satisfaction. With a single inclusive vehicle of six (6) to fifteen (15) passengers you eliminate the congestion that occurs with hinged vehicles, trailered coaches or vehicles that are too large.

MatTracks Incorporated supports the National Park Service Winter Use Plan Supplemental Draft Environmental Impact Statement: Alternative 1. At MatTracks Incorporated, we know that in the year 2002 the technology is already in place to help the National Park Service achieve their desired conditions. Front steer, rubber four tracked vehicles moving six (6) to fifteen (15) passengers would be able to provide the recreational experiences the visitors would want. Front steer, rubber four tracked vehicles moving six (6) to fifteen (15) passengers would reduce sound and emission levels and would protect the natural resources and enhance the visitors experience. This technology should be "safety approved" by a Government approved testing facility for the protection of the employees and the visitors.

The growth of winter park use requires that immediate action be taken to protect the park and it's resources, but we also need to provide a means for the visitor to enjoy and experience what the National Park Service is working to protect. We believe the suggestions in this letter help achieve these goals.

Thank you,

MatTracks Incorporated  
202 Cleveland Avenue East  
Karlstad, Minnesota 56732  
(218) 436-7000  
(218) 436-7500 FAX  
www.mattracks.com



May 28, 2002

Planners,

In November of 2000, we were asked to respond to draft guidelines that were proposed for a new snowcoach. We would like to include them with our comments the Winter Use Plans SEIS Response

## Draft Guidelines for a New Snowcoach for Use in National Parks

The National Park Services desires that a new snowcoach be developed for winter access in national park units such as Yellowstone and Grand Teton national parks. The new "snowcoach" may be a self-propelled vehicle or it may be pulled behind another vehicle. We envision that there may be more than one type of coach – a larger coach designed to move more people efficiently and a smaller coach that would be appropriate for smaller groups or concessionaires interested in operating a single vehicle.

- The vehicle "package" that we will be describing and referring to already exists. It is a front steer, rubber "four tracked", four-wheel drive, van/snowcoach.
- For the protection of the National Parks, its workers, and its visitors, only rubber track systems that have been tested, with a safety release by a Government approved testing facility should be allowed for use within the Parks.
- This package is already in use on vehicles with passenger capacities from 6 to 15 passengers.
- We also suggest that these vehicles should be EPA Emission Certified for use on public roads.
- We also suggest that "modern" vehicles with current EPA Emission Certification be used. A reasonable age to achieve the National Park Services goals of cleaner air would be that vehicles used in the park be 6 years old and newer.

With regards to tracking the larger units.

- Larger systems are in development that would work on vehicles with greater capacities, if it were shown that there was enough demand for the product to offset the development cost release of these units could be expedited.

With regards to trailered or towed coaches. There are several drawbacks to towing a passenger trailer or ever having two separate compartments on the same vehicle.

- For safety issues, you almost need a separate tour guide in that compartment. It is too much responsibility for just a driver to drive a vehicle, keep track of the passengers in his compartment without the added workload of staying in communication with the passengers in the other compartment.
- The driver workload is further complicated by the fact that the vehicle needs to be maneuvered different when pulling a trailer.
- Even if you were to have a separate tour guide in the rear compartment, the driver still has to have contact with him and therefore is still an extra workload and there is a delay in communication, which is potentially dangerous in an emergency situation.

The operating features describe the environmental conditions under which a coach must be designed to work. The required features list the minimum requirements that a new snowcoach must have; the desired features describe what trails should be in a coach. The desirable features are replacement or additive to the required features. We would not expect all the desirable features to be met by any one vehicle; some may be mutually exclusive. The best vehicle would address as many of the desirable features as possible.

## Operating Conditions:

Minimum ambient operating temperature: -60o F  
Maximum ambient operating temperature on a sustained basis: +50oF  
Typical Daily Temperature: +10oF  
Typical Daily temperature range: -20oF to +20oF  
Snow road conditions vary from hard and icy to soft slush.  
Although road surface conditions are packed and groomed, moguls and ruts can develop, depending on the number of vehicles, snow conditions, and temperatures.  
Sun?  
Daylight hours?

## Required features:

A minimum consistent, long-distance travel speed of 30 miles per hour.

- We agree, this would allow the visitor to see more of the park than they would if confined to a slower vehicle. This is achievable with today's modern vehicle and track conversion system when properly set up.

A maximum noise level of 70 decibels as measured on the A-weighted scale at 50 feet at full throttle.

- We agree, the quieter the vehicle, the more enjoyable the ride for the visitors. This also helps the National Park Service achieve their objective of the reduction of units that produce excessive noise.

Emission levels are at least as low as a modern gasoline-powered van with current emission controls set up to operate as a snowcoach (with four-wheel drive and tracks).

- We agree. If the National Parks Service wants to achieve their objectives of cleaner air in the Park, the use of modern vehicles with current emission standards for vehicles that are used "ON ROAD".
- A reasonable age for the vehicles so that they achieve the National Park Services objective would be 6 years old and newer. This keeps the most efficient and "clean" vehicles in the park at all times.

Steering and vehicle control should be similar to conventional wheeled vehicles.

Two-wheel drive configuration will propel the vehicle (for example, rear-drive power with the front tracks free-wheeling for steering).

- We would like to add that the vehicle should have a front drive system as well. If you were to climb a hill and want to steer at the same time, having the front axle pulling for you is an advantage. It would provide additional traction and more control.
- Front "free wheeling" tracks do not provide braking.
- Two-wheel drive works on a hard surface, but would work poorly in soft conditions.
- Rear track drive units simply don't work in soft conditions unless the tracks are center located under the weight of the vehicle. At this point the rear track system becomes a "skid steer" system. This type of system can damage trails and terrain because of the extreme ridges it can leave while it performs "skid steer" turns. Therefore, only 4x4 systems should be allowed.

System to keep windows fog/ice/snow free.

- Today vehicles with their modern HAV systems (Heater, Air conditioner, Ventilation systems) would be able to keep windows clear of fog/ice/snow.

Audio system for interpretive talks while the coach is in motion.

- We agree. This provides for a more pleasurable tour and higher visitor satisfaction and enjoyment.

A minimum capacity of eight people (driver and passengers).

- We would suggest 6. This still would accomplish the National Parks objective of fewer units in the park, and would still allow an option of a more "one to one" tour.

Sufficient fuel capacity to travel through parks without re-fueling (a maximum range of 200 miles).

- One would need to stay within the equipment offered by the manufacturers. The reasons are two fold. First, the fuel tank is an extension of the emission system of the vehicle. Any modifications or changes to the emission system would remove its emission certification. Secondly, You would open the possibility of liability when you modify a fuel tank.
- A large tank also adds weight, which in turn adds more pounds per square inch. The more weight added the lower the fuel economy as well.

- It is almost impossible to achieve the kind of mileage out of a factory approved fuel system to go 200 miles on tracks. 100 miles is the furthest any of the concessionaires have to travel. 100 miles on a tank of fuel is achievable with present factory equipped or factory optional tanks. Adding additional fuel capacity, beyond what the factory certifies, affects the emission control systems.

Radio communication with operator's base.

- Yes, we agree with this for obvious safety and emergency reasons.

An engine, transmission, and drive train that are engineered to work in the harsh winter conditions without extreme service or repair requirements.

- Today's vehicle manufacturers have put together vehicles that meet these standards. Their components are designed to withstand the extremes and provide excellent service.

Desirable Features:

A consistent, long-distance travel speed of 45 mph.

- We agree, this is achievable with today's properly set up four "rubber tracked", front steer conversion system on a modern 4x4 vehicle. The limiting factor is the engine size. To go faster you would need more horsepower, a bigger engine, and you would end up with less fuel economy.

A maximum noise level of 67 decibels (or lower) as measured on the A-weighted scale at 50 feet at full throttle.

- We agree, this is achievable with today's four "rubber tracked", front steer conversion system on a modern 4x4 vehicle.

A vehicle that can be easily converted from winter (oversnow travel) to summer use (wheeled).

- We agree. Vehicles are a large investment, and it important to make the most use out of each investment. We have this today.

BI-fuel vehicle (uses alternate fuels such as CNG, LNG, propane, biodiesel, or ethanol in addition to gasoline or diesel).

- Not a good idea unless the technology and economic feasibility can be proven elsewhere. National Parks are no place to be testing unproved technology that could be potentially dangerous. In fact there have been several reports of incidents within the parks where different fuels were being tested.
- Please consider that this area must also take into consideration requirements for emission guidelines as well as safety issues. All BI-fuel units or

conversions should meet governmental standards for safety and emission. This is for the safety of the visitors as well as the employees.

- The fuel alternatives would also have to be economically feasible. Many times, the efficiency (miles to the gallon) is less with alternative fuels, which would mean an increased need for fuel capacity. That leads to increased weight and more pounds per square inch. This is leading away from the National Parks objectives of a light footprint vehicle.

Fuel economy (miles-per-gallon) is similar to wheeled vehicles of the same type.

- As much as we would like to see this, we must also take into account that this is not possible. While one day, tracks driven on hard, paved surfaces will be as efficient as wheels, tracks pulling a load through deep snow or slush just plain takes more power. A lot more power and therefore less mileage.
- The snowcoach will be traveling in snow, up hills, and idling while visitors are taking pictures.
- The tracks have more mass than tires and thus take more power.

Emissions should meet EPA standards for Ultra Low Emission Vehicles.

- Only if the Ultra Low Emission Vehicle is able to fulfil the other criteria required for operation (power, weight carrying capacities, etc.) and are economically feasible to use this technology.
- It is important to remember that any system used must be economically viable or you will start losing concessionaires. That would cause a raising of prices and causing less access to the park.

Rubber (or rubber covered) tracks so that the vehicle can operate on non-snow roads without damaging the road surface.

- This should be mandatory and only track systems that have been tested and have received a "safety release" by a Government recognized testing facility should be allowed to be used within the National Parks.
- Rubber tracks together with a low ground pressure system do what other systems can't. Front steer, rubber "four tracked" vehicles are quiet in operation verses a cleated or a metal track. This provides the visitor with a more pleasurable Park experience.
- Another advantage with rubber tracks is that it provides a light, non-aggressive footprint. Rubber tracks allow the vehicle to travel on a variety of surfaces from sand, snow, gravel, or blacktop with minimal damage to the terrain or road surface. This would allow the National Park Service the option for longer tourist season that could start earlier and end later. Bare or open sections of roadways would not be a concern with rubber tracks.
- Vehicles with two tracks (skid steer), or articulating four tracks, can damage the terrain or road surface when turning.
- Vehicles with metal cleats or vehicles with skis can also damage the terrain or road surface when they are not covered with snow.

Skis should be discouraged.

- We agree. Skis tend to be associated with a "skid steer" type of track control. Because to work, most of the vehicles weight must be on the tracks. "Skid steering" can damage trails by causing ridges when their long tracks brake to steer and skid. Further, maneuverability with no weight on the skis is extremely difficult.
- Skis can also damage roads and leave grooves that could make it hard to control other types of vehicles.
- Skis do not have the ability to brake or slow down the vehicle. Good visibility for all passengers. Seats are configured so most have a view. Large windows that open easily for fresh air and photographic opportunities.

Roof hatches that open and are large enough for a person to use for photography. Ability for a 6' tall person to stand up comfortably and move around in the vehicle.

- Although this would be more comfortable for older visitors, the driver/guide would have to be more alert and have more stringent rules on everybody remaining seated when moving.
- Please consider the safety of the visitor, or your own liability on this point. Would you want the visitor walking around the cabin when traveling through the park on trails that may have bumps or moguls?

Direct access to and from vehicle (multiple doors) for many passengers. A passenger capacity of up to 24 people.

- When you begin to put more than 15 people in a vehicle the vehicle can become large and heavy. The overall width of the tracked vehicle (to have the floatation necessary to carry that number of people) can become prohibitive (when vehicles meet on the trail). Or the length can become so long that maneuverability is lost.
- If an emergency were to occur and it become necessary to turn around on the trail, how easily could it be done?
- Multiple doors is great, but cause loss of seating, which converts to larger vehicles, which leads to more pounds per square inch. That leads to larger tracks and larger vehicles and concerns about maneuverability.

The lightest, gross vehicle weight possible to reduce impact to groomed road surfaces. To minimize snow road impacts and allow travel in all conditions, pounds per square inch of pressure exerted on the road surface should be minimized.

- We agree. This should be kept as a priority. But this does hinder the ability of larger vehicles to keep within the size requirements.
- One thing we would like to point out is the contradiction of the previous statement with this one. To have the lightest gross vehicle weight possible, we suggest that snowcoach capacities be from 6 to 15 people. This keeps the vehicles smaller, lighter, and minimizes the snow road impacts.

A unique vehicle in style, design, and colors that is aesthetically compatible and adds to the overall experience.



- There are many different combinations of vehicle makes, models, and custom configurations. Vehicles can have open tops that track conversions could fit on and give the visitor a "wind in the face" experience of the park should they select that experience. These vehicles should be allowed if they meet the criteria set forth (emission, etc.).
- This could also be achieved using vinyl graphics similar to mass transit buses in various communities. These designs could depict buffalo, elk, geysers, or other park sites. You could have contests involving local artists or graphic designers to display their work each season.

Sufficient interior space for winter jackets, box lunches, winter survival gear, etc. in addition to seat space for passengers.

- The concern is to keep in mind that the more storage that you include, the larger the unit becomes and the heavier it becomes. However we have vehicles that now have provisions for storage of safety and survival gear in the vehicle.

Ability to provide a smooth ride to passengers on rough road surfaces.

- This is achievable today when properly set up.

Other vehicle ideas:

A trailer design that could be pulled behind a tracked van or other vehicle should be considered. Such a trailer could be enclosed or it could be open air, with a design to break the wind but still allow the "wind in your face" experience.

- We suggest that the snowcoach should be of a single, inclusive enclosure for the driver and passengers. Here are the benefits. You have the ability of the driver/guide to monitor the safety of his passengers. Secondly, monitoring and interacting with the passengers increase the passenger's satisfaction.
- To do this with a trailered coach would require a second guide to monitor those passengers. Using a trailered coach would put too much responsibility on the driver to drive and to monitor both passenger compartments besides the task of maneuvering the trailered coach.
- With a single inclusive vehicle of 6 to 15 passenger you also eliminate the congestion that occurs with hinged vehicles, trailered coaches or vehicles that are too large. Trailered coaches can be cumbersome and damaging to turn around on a trail in case of an emergency.
- Open-air trailers behind any track vehicle or a hinged, two compartment vehicles become covered with sifting snow. This causes poor or no visibility for the rear units passengers. This would result in a horrible visitor experience and low visitor satisfaction.

Friday, May 24, 2002

Winter Use Draft SEIS Comments  
Grant Teton and Yellowstone National Parks  
P.O. Box 352  
Moose, Wyoming 83012

Re: Draft Supplemental Environmental Impact – Yellowstone National Park

Dear Sir:

I am writing to voice my support of alternative 2 of the Draft Supplemental Environmental Impact (SEIS) for Yellowstone National Park. This alternative is clearly the best compromise available, although this alternative too has its set of problems.

I rent a fleet of 145 snowmobiles in West Yellowstone, Montana. My rentals account for approximately 10% of the total West entrance visitors. For ten years, my family has considered the possibility of purchasing snowcoaches as an option for our clients. In fact, we even applied for a concession license in 1995. We put a tremendous amount of time and resources into this license application including hiring our CPA to estimate and budget for the feasibility of the snowcoach option. To our surprise, Yellowstone National Park initiated a moratorium on all new snowcoach permits and our application was denied.

At the time we applied for a snowcoach permit, adding a snowcoach would have been an addition to our services offered to our clients, not a substitution for our rental of snowmobiles. We are still interested in offering the snowcoach alternative. However, there are significant obstacles to the operation of the snowcoaches as follows:

1. The snowcoaches are extremely unreliable. The snowcoach needs to be towed in or have major repairs onsite one in every three outings. This is not only costly, but significantly diminishes clients' Yellowstone "experience".
2. Air pollution. New studies have shown the snowcoaches have six times the emissions as the new four-stroke snowmobile. On average, a snowcoach carries six passengers into the Park (even though they have the capacity for 10). A recent pollution study suggests that if six people were to ride three four-stroke engine snowmobiles (double riders) into the Park, the emissions from these three snowmobiles would be less than the existing snowcoach emissions.
3. Noise pollution. A new Park Service study has shown that four-stroke snowmobiles are significantly quieter than the snowcoaches at 20 miles per hour. With the number of snowcoaches required to transport the same number of people into the Park, this is a very serious concern.

4. Cost. A single snowcoach costs between \$75,000 and \$150,000. My business currently has the capacity to transport 230 people into the Park per day. If snowmobiles were banned, I would need 23 snowcoaches available to transport 230 people per day. If I were able to purchase snowcoaches at \$100,000 a piece, this would require a cash outlay of \$2.3 million. My current capital requirement is approximately \$700,000 annually for my fleet of 145 sleds.
5. Garage space. I currently have enough garage space in my shop to store my fleet and have space to work on them. Because of the height of the snowcoach, I would not be able to even put one snowcoach in my garage. The cost of building a new building to house snowcoaches would be \$500,000, providing I could put that size garage on my current location.
6. Visitor Acceptance. 10,000 people walk through my doors every season. These people are not avid snowmobilers, they are "wide eyed tourists". They love to "experience" Yellowstone Park. Although my clients have the ability to choose to ride a snowcoach through the Park, most have said they would not even consider traveling in a snowcoach through the Park. This is not "experiencing" the Park.

The purpose of the EIS was to limit the impact of winter use of Yellowstone National Park. One of the biggest concerns cited was that of air and noise pollution. The bottom line is that the snowcoaches available today are seriously outdated. In order to "be the solution," these machines need to be completely redesigned.

I was in Washington DC in November of 2000 to meet with the Department of the Interior. During that meeting, we were promised a "new generation of snowcoaches" and were told these were "on the way" and would be available should snowmobiles be banned or limited in the Park. When the initial decision to ban snowmobiles was introduced, we were told this "new generation of snowcoaches" were not available and in fact there had been no funding for research and development for this new generation.

I support the development and implementation of cleaner burning engines for snowmobiles and for snowcoaches. At this point in time, the snowmobiles are much much further along in the design of cleaner burning engines than the snowcoaches. Until such time as a more reliable, cleaner burning, quieter snowcoach can be developed and available to us, I ask that you support the continued use of Yellowstone Park by snowmobiles.

Thank-you for your consideration. If you have any questions and/or would like to discuss any of the above, please call me.

Sincerely,



David McCray  
517 Carnelian Court  
West Yellowstone, Montana 59758

Friday, May 24, 2002

Winter Use Draft SEIS Comments  
Grant Teton and Yellowstone National Parks  
P.O. Box 352  
Moose, Wyoming 83012

Dear Superintendent,

I am writing to request that you support the continued use of snowmobiles in Yellowstone Park, as has been allowed historically, until such time as viable alternatives can be properly weighed and their impacts studied. In particular, I am requesting that you support the allowance of historical snowmobile usage in the Park for until viable option for winter use change can be implemented.

I, along with my family, own and operate Two Top Snowmobile Rental, Inc. in West Yellowstone, Montana. We rent a fleet of 145 individual snowmobiles and have been in business since 1965. We hold a guided snowmobile interpretive tour license for Yellowstone National Park. Approximately 95% of our clients (as many as 230 people per day) use our snowmobiles for transportation into the Park. Our business, through ownership and/or employment, supports several families in West Yellowstone for the entire winter each year.

If the Park were to close to snowmobiles for the 2002-2003 winter season, my family and my employees would be very significantly impacted. We have committed to our 2002-2003 fleet purchase already (at a cost of over \$700,000). We have committed to employment for 17 employees for the winter season. And, we have spent thousands of dollars on advertising and preparation for the upcoming winter season. Without the snowmobile season, my employees and myself would very likely be required to leave our families to find work to support ourselves.

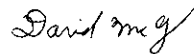
As a business owner and someone who has done significant research into snowcoaches and the possibility of operating them, it is far too late in the year to switch over to snowcoaches to transport our clients through the Park both from a cost and implementation standpoint. We already have 1000 reservations for the 2002-2003 season. Based on our own internal surveys of our clients over the past several years, only 5% would ride a snowcoach as an alternative to snowmobiling in the Park even if the snowcoach was their only alternative to seeing the Park in the winter. This creates a financial dilemma that we do not have alternatives for at this point in time.

The City of West Yellowstone and the businesses that operate here need as much time as possible for the transition to whatever the SEIS final outcome will be. We need your support to ensure a long and smooth transition for our clients, our economy and our families to be able to adjust to the final SEIS.

As a lifetime resident of West Yellowstone, I support the possibility for alternatives including the implementation of a slowly progressing cap on the number of snowmobiles allowed each day in Yellowstone. However, I am concerned for the economic welfare of my family, my employees and the City of West Yellowstone with any hastily implemented plan that does not allow time for transition and economic alternatives.

Thank-you for your time and consideration. Please feel free to call me if you have questions and/or would like to further discuss this issue with me.

Sincerely,



David McCray  
Two Top Snowmobile Rental Inc  
Post Office Box 798  
West Yellowstone, Montana 59758



May 29, 2002

Winter Use Plan  
Grand Teton National Park  
PO Box 170  
Moose, WY 83012

Dear Sirs,

*For the last five years I have had the pleasure of owning a snowmobile tour business that specializes in conducting guided, interpretive, multi day snowmobile tours of Yellowstone Park. This has allowed me the opportunity to witness the joy American citizen's experience during a winter snowmobile tour of Yellowstone. I do not believe this experience should be taken away and I am firmly opposed to a complete ban on snowmobile use in Yellowstone. New technology, guided tours and limitations on visitor numbers are requirements that should be implemented so snowmobiling can continue and the resource can be protected.*

*As a tour operator, I made the commitment last season to purchase four of the new generation four stroke snowmobiles. We experienced the usual problems you would expect with a new product but the experience showed that the new snowmobiles are much cleaner and quieter than previous sleds. This technology will continue to improve and as such my guests and future visitors will be access the Park via snowmobile in a non-polluting, environmentally friendly manner. Also, I have participated in the Clean Snowmobile Challenge since inception and I have seen first hand the improvement every year in noise and emissions of the participants' snowmobiles. This shows that as technology continues to improve the environmental impact of snowmobiles will continue to lessen.*

*As I initially stated, we conduct guided, interpretive tours of Yellowstone Park. My guides are required to attend preseason orientation training with Park Service personnel. Through this training the employee learns the proper way to conduct a tour with the least amount of impact to wildlife and the environment. Park Rangers have repeatedly told me that our employees do an exemplary job with our guests and they do not have any concerns about wildlife harassment from our guests or guides. I attribute this to the training we have received and I believe that guided tours should be a requirement for anyone to access the Park via snowmobile. I am not a proponent of guided tours because I am a tour operator but because I believe that trained professional guides provide the best interpretive experience for a visitor and wildlife harassment issues are lessened through the use of a guide.*

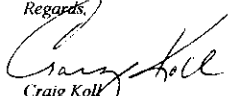


*Anyone who has been at Old Faithful on a busy winter day would have to agree that a limitation on visitor numbers is necessary. By limiting numbers the visitor experience would be improved and visitor impacts would be lessened.*

*The present Park Service proposal to allow winter access to Yellowstone via only snowcoach is unrealistic and not an environmentally conscious alternative to Park access. A reliable, comfortable, safe snowcoach does not exist. The van conversions presently being used are dangerous, unreliable and do not provide a pleasant visitor experience. Snowcoach emissions and noise have not been adequately addressed and the new generation, four stroke snowmobiles are much cleaner and quieter than existing snowcoaches. Snowcoaches also consume a large amount of gas and as such gas storage capacity for a winter season in the Park is inadequate for the number of snowcoaches proposed by the Park Service. I seriously question whether additional gas storage will be ever be approved in the Park which would be necessary to provide visitor access at present levels via snowcoach.*

*I hope that my comments will be considered when making a decision regarding future snowmobile use. As an outfitter I am committed to making the financial commitment necessary to insure a memorable visitor experience and protect the Park. I believe options exist that can be implemented to protect the Park and also continue an activity that most visitors consider to be the adventure of a lifetime.*

Regards,

  
Craig Koll  
President  
Old Faithful Snowmobile Tours



May 29, 2002

Winter Use Plan  
Grand Teton National Park  
PO Box 170  
Moose, WY 83012

Dear Sirs,

*As a co-owner of a snowmobile tour company it has been a pleasure to witness people enjoying the wonders of Yellowstone in the winter via snowmobile. Our guests have enjoyed the freedom of traveling Yellowstone in the winter and come back from their tour in full respect of nature. I believe a guided interpretive snowmobile tour is a treasure I hope is never taken away from the American public.*

*The new technology that has been developed for snowmobiles provide for a clean, quiet snowmobile and this improvement is exciting. With the improvements the visitor will be able to visit the Park in an environmentally friendly manner.*

*I am opposed to a ban of snowmobiles in Yellowstone as I believe technological advances with regard to emissions and noise along with limitations on visitor numbers will protect Yellowstone and allow visitors to continue to enjoy their winter experience in Yellowstone via snowmobile.*

Thanks,

  
Wendy Carlson-Koll

May 24, 2002

Pahaska Teepee Resort  
183 Yellowstone Hwy  
Cody, Wyoming 82414

Winter Use Draft SEIS Comments  
Grand Teton & Yellowstone Parks  
P.O. Box 352  
Moose, WY 83012

**Comments: Supplemental Draft Environmental Impact Statement for the Yellowstone and Grand Teton National Parks.**

We strongly agree with alternative 2

All rental and public snowmobiles should be limited to 4-stroke, or equivalent noise and emissions standard 2-strokes only.

Public snowmobiles should fall under the same decibel range as commercial and snowcoaches. Sound problems in the Park are much more of a problem in summer months, what is being done about it?

Interim limits as proposed in #2 are preferable, but additional use at East and North entrances could be considered. These entrances don't experience overcrowding problems with current use and could easily sustain additional use. The current use at both entrances is barely capable of sustaining a healthy economic climate. Because of grooming equipment shortages, the East entrance is unreliable during winter and many visitors drive around to West. A dedicated groomer from East to Lake, stationed closer to the pass at the East Entrance Station, would be the best choice to alleviate this reoccurring problem.

Any significant limitations of recreational use at the East Entrance would certainly shut down our winter operation at Pahaska Teepee and would in turn be a major setback to winter recreational use in the Shoshone National Forest.

Regularly scheduled snowcoach trips by the park's primary concessionaire, with service to the East Entrance and the gateway city of Cody is necessary if this entrance is ever going to prosper.

Why would snowcoach numbers be unrestricted?

Any increase in groomed non-motorized trails is an excellent idea. Why not on the old road near lake butte and in the bottom of Middle Fork near the East Entrance?

The natural soundscape restrictions seem unreasonable and intangible.

Air quality studies should be done by the states of Wyoming and Montana who have jurisdiction in these matters. The proposed restrictions seem not only unrealistic but appear to be designed with intent to undermine the current recreational opportunities of Yellowstone.

Visibility concerns at staging and distribution areas should be discarded from this process, as there is currently no analysis of the conditions or proposed restrictions. Emissions in these areas would certainly be a problem with snowcoaches only. Snowcoaches are forced to keep running during stops so they can be warm when the guests return. Visibility along trails with coaches only would deteriorate quickly as the number of snowcoaches increase.

Economic effects in the gateway communities and surrounding states should be considered. The SEIS is flawed by not addressing economic feasibility studies and potential business plans for operators in the region's economy.

Pahaska will be negatively impacted by a substantial decline in number of visitors entering the Park. Significant demographic differences exist between a snowmobiler and coach rider's markets. Under the snowcoaches only alternative we feel Pahaska would experience a 50-60% drop of Yellowstone visitor-use; resulting in at least a 40% drop of operating revenues during the winter season.

Any detrimental economic effects of the implementation of this plan should be mitigated through government compensation of communities and commercial operators. The increased amortization cost of the buildings and equipment and subsequent related operating expenses associated with the FEIS and the (#1) will be putting most current operators out of business or in a significantly downsized mode of operations.

We disagree with the statement: "a **majority** of local residents agree that snowmobiles adversely impact the parks and should be **limited**. This alternative (#2) **would likely not be favored** in a regional or national forum" The study purporting these statements is nothing more than Park Service "junk science," it did not take into account the cleaner and quieter 4 stroke technology, nor did it make any attempt to explain the fact snowmobiles are restricted to the hiway in Yellowstone." The questions used in the survey were ambiguous and biased, the entire survey should be discarded.

Wildlife harassment is a law enforcement problem, not a snowmobile problem.

With the new 4-stroke technology there would be no "high levels of NAAQS pollutants" so this health and safety issue in alternative (#2) would not be an issue.

Snowmobile access should not be denied and it should be recognized snowmobiles are the preferred means of travel for a majority of current recreationalist while touring in Yellowstone.

The FEIS and SEIS are flawed in their definition of access. Access issues are not just related to corridors but are more importantly significantly changed with designating stopping points and forcing "guided only commercial trips."

Private coach or private snowmobile access should be allowed. Having a personal family experience in the Yellowstone, without a commercial guide or outsiders with you is central to America's National Park experience.

Increased snowcoach access should be encouraged at the East Entrance and the Park's chief concessionaire should be required to provide transportation services to the East Entrance and Cody.

Visitor experience would definitely decrease in a snowcoach only solution. Why would you think the visitor experience of touring the Park in a snowcoach would continue to be highly satisfactory to a snowmobiler? Most snowmobilers will not enjoy a snowcoach trip in any snowcoach configuration and will snowcoach travel will be unacceptable to them. Many current visitors would stop coming to Yellowstone in the winter.

Driving times for snowcoaches are too long for a Pahaska visitor to travel the lower loop. An overnight at Canyon and Old Faithful is necessary to ensure driving times are compatible with visitor comfort levels.

Sylvan Pass is unpredictable in winter months and snowcoaches require better trail grooming than snowmobiles. A snowcoach only decision would further isolate Pahaska and the gateway town of Cody from Yellowstone.

Visitor experiences of quiet and solitude would significantly improve in (#2) with the 4-stroke technology.

Opportunities to appreciate clean air would be significantly improved with (#2.)

Opportunities to view scenery and wildlife would be significantly changed under the FEIS and (#1); obviously the view from behind a window is never as good as one from out in the open.

Visitor conflicts and unsafe behavior is not a snowmobile issue, it is a law enforcement issue.

Adaptive management plans should place emphasis on the provisions in the original legislation of 1872 creating Yellowstone as a public park or pleasuring-ground for the benefit and enjoyment of the people.

Significant safety concerns arise in a snowcoach only environment. Grooming of a significant portion of the trails on corners and hilltops will have to be wider. Trail conditions will have to be good in order to establish a comfortable safe ride for snowcoach guest. Speed limits should be lowered, as coach operations are generally considered dangerous at speeds over 30mph. A comprehensive training program for driver certification should be required. Drivers will no doubt pass each other in an attempt to meet schedules or get to a pull out first. A Snowcoach mass casualty accident, potentially involving 20 or more victims, adds another dimension. Who will operate the oversnow ambulances, how many patients will they carry, what will be the response times, and how many will be required.

In the best-case snowcoach only scenario congestion will quickly become a problem in the Old Faithful area. We envision great lines of coaches snaking their way to the Old Faithful area each day as snowmobiles do now. What happens when a coach arrives at designated stop to find no parking, do they wait in the trail or are they forced to by-pass the stop? Sounds like an access problem. Will pullouts be enlarged?

By encouraging operations on the eastern side of the Park the congestion at the Old Faithful area could be spread-out across the Park. The Canyon area needs desperately to have more extensive hot meal and guest services. Because of longer snowcoach driving times and overuse in the Old Faithful area, overnight accommodations at Canyon should be strongly considered.

We object to any provision for guided only or commercial only recreational access to Yellowstone. Not only is it totally unnecessary, it is like tacking on an additional 4% user fee (or concessions fees), without consulting the public or Congress.

The Snowmobile industry has not been given adequate time to meet the new clean air standards for Yellowstone.

Snowmobile driver certification and educational opportunities is something Yellowstone has never accomplished.

Additional winter interpretive programs, sites, and activities are desperately needed in the Park.

If snowmobiles are banned from public use in the Park why should they be allowed for any type of use inside the Park? It would be unethical for the Park Service to run snowmobiles inside the Park for administrative use and ban them for public use.

Sylvan Pass, often the first over-snow trail to close and the last to open, would need a higher grooming priority than it currently holds so it could reopen in a timely matter following storms. Generally these extended closures are because the groomer is required in other areas of the park.

Public access and ability to visit all areas of the Park should be of extreme importance.

Cody needs a reliable gateway corridor summer and winter into the Yellowstone trail system in order to remain an economically sustainable environment.

It appears through this document the Park Service is trying to cut historical winter recreational use in Yellowstone and the gateway communities. Historical policies have concentrated recreation opportunities causing over-use of the corridors from West, South and the Old Faithful area. New policies could be developed to spread the use across the Park and over more days of the week.

The FEIS and alternative #1 will result in forcing us to close down our winter season operations. This will significantly harm our ability to have an economically sustainable operation and could result in the financial downfall of our operation.

We do not see recreational users returning in sufficient numbers for a healthy economic climate under these proposals. Grooming of Sylvan Pass is not adequate for coach use. Snowcoach driving times from Pahaska are too long to reach hot food or overnight accommodations. No regularly scheduled coach service hampers our ability to provide competitive services. The capital investment of a snowcoach operation is prohibitive in any return on investment analysis. All of these problems undermine the sustainability of a snowcoach-only operation at the East Entrance and Pahaska.

We believe the FEIS and alternative #1 both would make winter operations here disastrous. We firmly support alternative #2 with the exceptions noted above.

May 24, 2002

Signed:

Pahaska Company



Robert D. Coe for:

Margaret S. Coe	President
Robert D. Coe	Vice President
Angela L. Coe	Stockholder
Anne C. Hayes	Secretary
James F. Hayes	Stockholder

May 21, 2002

Winter Use Draft SEIS Comments  
Grand Teton and Yellowstone National Parks  
P.O. Box 352  
Moose, WY 83012

Dear Sirs:

I support a modified Alternative 2 as a reasonable approach to protecting the resources of the national Parks while ensuring winter access to the most spectacular winter scenes on the face of the earth. I have some general comments that will be followed by some specific comments. Following the specific comments are some suggestions for a winter use plan that will stand the test of time as well as protect the environmental and socioeconomic values of the area.

#### GENERAL COMMENTS

- I. Page 281, Chapter IV, Environmental Consequences, Socioeconomics, states "all alternatives evaluated in both the SEIS and the FEIS are intended to maintain the current level of recreational visitation in the parks, although modes of access differ." The analysis presented clearly does not accomplish this goal. Table 10 following Page 57 and Page 161 just for Alt. #3, it states that "...between 230 and 299 jobs in the 3-state area" would be lost, and that "...a majority of the 5-county impacts would be felt by the local West Yellowstone economy." These two statements are in direct conflict with the goal stated on page 281 to maintain visitation to the parks. If 45% of the impact occurs in West Yellowstone, that would represent a loss of 103 to 135 jobs in a town with a population of just over 1,100 people. These impacts are significant and cannot be ignored by saying these are "...negligible negative impacts in the context of the regional 3-state economy." The Town has already been significantly impacted by just the process of uncertainty concerning winter use. Please consider the following information:

<u>Calendar Year</u>	<u>Value of Commercial Building Permits</u>
1995	\$5,682,665
1996	\$5,989,613
1997	\$4,152,340
1998	\$4,407,400
1999	\$2,094,310
2000	\$ 589,580
2001	\$ 299,416

In addition, it's important to note that there have been 0 (no) residential building permits issued 2002 year to date, and only 8 commercial permits issued 2002 year to date for minor remodeling jobs. This information clearly shows the impact that has already fallen on our community resulting from the uncertainty of the outcome of the Park Services' decision on the winter use study.

2. Page 274, addresses Impairment of Park Resources and Values. The ROD is quoted as saying "...that impairment was found to result from snowmobile use on air quality, the natural soundscape, and opportunities for enjoyment of the Park... including those that would have required phased-in use of cleaner and quieter snowmobiles in accordance with set objectives for emissions and sound." Such statements clearly demonstrate the total lack of respect for the science of the evaluating impacts. Please consider the scientific facts. You have a copy of the study results conducted by a consulting firm Jackson Hole Scientific Investigations so I am not enclosing the data. However, it clearly demonstrates that the contribution of CO per passenger would be less for those riding 4-stroke snowmobiles than those riding snowcoaches. But the truth is simple, compared to the summer traffic, none of the winter modes of transportation will contribute but a small fraction of the pollution when compared to the total for the year. Please, keep things in perspective. A total of 60,000 visitors are needed in West Yellowstone for the winter season for the town to remain a viable partner for Yellowstone Park - 60,000 over 100 days as compared to 30,000 on a busy summer day with 18,000 of those 30,000 overnighing in the Park. Is it the Park Services goal to close the Park to summer visitors too? It is clear that access to the Parks by 4-stroke snowmobiles as well as increasing snowcoach ridership will not impair Park resources. Table 10 tries to characterize the economic impacts as "short term". Let me assure you, they are long term impacts for a business which can no longer make its monthly payment or payroll.

#### SPECIFIC COMMENTS

1. Page 39, footnote 13 states that the "...private concessionaires who operate under a permit from the NPS would provide the mass transportation snowcoach system." It is easy to make such an assumption, but the facts are different. As a snowcoach concessionaire, we find that the economic viability of the snowcoach business has been significantly reduced by NPS providing new concession licenses without a requirement to provide proposals that demonstrate the ability to perform. Our snowcoach ridership went down for the 2001-2002 season even though we increased our advertising by 30%. It is important to note, that the only real long term change to increased snowcoach ridership will result from the development and implementation of the "new concept snowcoach" - the new red bus. The earliest possible availability is 2005. Each of my existing van conversions cost between \$60,000 and \$70,000 which will become obsolete and only remaining salvage value when the "new concept" snowcoaches become available. There has to be some clear signals about how a phase-in period could be managed to get more ridership on snowcoaches so that snowmobile use could be reduced.
2. Page 46 - I support night closures, but delaying opening the West gate until 8:30 a.m. makes no sense. The West gate will be the busiest no matter which alternative is selected. It would improve congestion problems if the gate were opened at 7:30 a.m. to help disperse the traffic.
3. Page 51, those people with valid annual pass - like my Golden Age - should be able to get a "gold" flag to put on their zipper so that stopping at the gate is not necessary.
4. Page 55, footnote 20 states "Data indicates that use over about 300 snowmobiles caused deterioration of the snow surface on some days." This assumption is the basis for many of evaluations concerning limiting numbers, visitor experience, etc. Much of the analysis is based on grooming road surfaces the same in the future as has been done historically. This approach is flawed in that it does not recognize that grooming could be improved in almost all cases. The pilot project instituted by the NPS clearly demonstrated that major improvement is possible on an economically feasible basis. For example, Saturday of President's weekend on the busiest day and yet the trail from West Yellowstone

to Madison held up pretty well with almost 1200 snowmobiles. The double grooming at night with the daytime grooming by the West Yellowstone Chamber would clearly support 900 snowmobiles without significant reduction in visitor experience. The cost to the Chamber of Commerce for the daytime run was about \$250 to \$300 per trip from West Yellowstone to Madison and return.

5. Page 56 - Requiring guides for all snowmobiles is not reasonable. I have no problem with encouraging - or providing an incentive - for rental agencies to provide guided tours. However, many want to visit the Park and spend hours taking a single photograph. One size does not fit all in this case and should not be a requirement.
6. Page 57 states that "historic use levels are maintained" by allowing snowmobile numbers for alt. #3 to be increased if the snowcoach seats are not available. Loomis Enterprises has a permit for four coaches, yet we have never been able to book more than two most of the time. We have had them available but not hooked. Any alternative selected needs to protect the historic use, but the test should be not "seats available" but seats that are being used.
7. Table 10 - There are a number of statements concerning the "Summary of Effects" for the different alternatives that are not accurate. For example, Alt. 1a and 1b shows that access will be maintained with a snowmobile ban. That is absolutely not true - or misleading. It should clearly show that it may be physically possible to access the Park by snowcoach; but the operational limits would not allow the same degree of access that has been enjoyed in the past. Also, under Alt. #2 it states that a majority of the local residents agree that snowmobiles adversely impact the Park and should be limited. I question the validity of that statement and request you provide the documentation for it.
8. Page 79 Minority and Low Income Populations were dismissed as not being significant. The loss of jobs discussed in the socioeconomic section will fall first on the minority and lower income employees. Such impacts should not be summarily dismissed as not important. This section needs to be revised.
9. Page 85 Table 15 lists "Description of Information and its use." The comments provided about the usefulness of the new information clearly demonstrate the total disregard of the value of the science provided by the cooperating agencies.
10. Page 113 Air Emissions - Air monitoring at West Yellowstone has been conducted by the Montana Department of Environmental Quality for a number of years. Please see the attached letter from Howard Haines concerning air quality violations. No one supports endangering the employees at the West gate by "...over-exposing them to benzene and formaldehyde..." However, the gas masks that just happen to appear at 9:00 a.m. on the Saturday of President's weekend were known beforehand by the West District Ranger to have no protection at all from formaldehyde - yet they were used anyway. Yes, protect the employees, but quit caving in to such stunts as this when it is known in advance that the cameras would be at the gate at 9:00 a.m. Therefore there were no gas masks at 8:55 - I was there.
11. Page 116 addresses "...occurrence of conflicts among ungulates (primarily bison) and over snow motorized use, particularly snowmobiles." I personally drive snowcoach in the Park more than as a snowmobile guide. It is much more difficult to get past bison on the trail with a snowcoach than it is with a group of snowmobiles. They are much more prone to "bolt and run" from my snowcoach than from snowmobiles. However, the real issue is more basic. The reason there are so many bison on the trail is because of the total number of bison in the Park. The bison management plan calls for a target population of about 3,000 bison, yet this past winter there were close to 4,000 in the Park. The Park Service needs to be a more active partner with the State of Montana to manage the bison population. I traveled through Yellowstone Park twice last week and most of the visible meadows look like a barnyard from the overgrazing by the



- bison. Please, look at the total picture when it comes to animal impacts. Snowmobile-bison impacts are fictional. There were 388 bison in the Park when snowmobile access started in 1965 and now almost 4,000!
12. Page 126 This whole section on "Natural Soundscapes" is suspect in my opinion. The Park was created for the "enjoyment of the people." To approach this section as if all "human-generated" sounds are intrusions is not reasonable and should be revisited. Yes, excessive sounds should be eliminated, but approaching natural soundscapes this way is much too objective. The statement on pg. 127 that "every visitor who so desires should have the opportunity to enjoy natural soundscapes and to hear the nature without impairment" is a two-edged sword. I expect to hear traffic noise in the parking lot at Old Faithful, yet the implication that if a person wants to hear just natural sounds in the parking lot that they have that right. This whole section needs revisited.
  13. Page 133 Table 25 shows 67 skiers and 8109 snowcoach passengers entered the Park from the West Gate. Much discussion concerning the desire by skiers that they would come to Yellowstone if snowmobiles were not allowed is provided to justify a total ban. It is clear to me that it is not possible to maintain historical use by substituting skiers for snowmobilers.
  14. Page 276 The displacement of snowmobile recreation to the Gallatin National Forest is very real and should not be dismissed by stating "...that such information is speculative." It is real, and should be evaluated. As I recall, the National Park and the National Forest are both owned by the same public.
  15. Appendix -Volume 2--The Adaptive Management discussion in appendix E Table 11 in Volume 1 is well done, but many of the discussions under "Management Actions" should clearly indicate that mitigation of impacts would be the first action taken before establishing a specific carrying capacity. Establishing a carrying capacity is legitimate but should be done after efforts to mitigate have been exhausted.

With these suggestions in mind, I would like for you to consider the following approach as a defensible winter use plan.

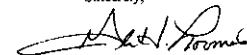
#### PROPOSED FEATURES TO BE INCLUDED IN THE SELECTED PLAN

The preamble to the selected plan should clearly show that you intend to try to support historical visitation at every gate. This should not be buried back on Page 281. This is the only way that you can ensure the continued partnership with the Gateway Communities. West Yellowstone has been a faithful partner for almost 100 years. Let's build on that relationship, not destroy it. More people will want to visit Yellowstone in the winter, not less -- and the only way to accomplish that is through the implementation of the "new concept" snowcoach along with the appropriate level of snowmobile traffic. The mix will take time to be established, but with clean and quiet 4-stroke snowmobiles and "new concept" snowcoaches that can be done without pollution and noise while protecting the Park resources. In our business last winter, we only booked 5.6% of the guests on our snowcoaches while we advertised both options in every advertisement. The "new concept" snowcoach will probably be more widely accepted, but it is still on the drawing board.

- ❖ Using the Table 5 format on Page 46, the plan should show a cap of 900 per day from the West Gate. All rental machines would have to be permitted as concessionaires—requiring that training be provided on reducing animal-human conflicts. All rental machines could be 4-stroke or equivalent with a two year phase-in. There will be over 200 rental 4-stroke machines available in the Town of West Yellowstone this winter. An intensive study would be initiated to determine grooming possibilities, snowcoach incentives, speed limits, etc. before reducing below 900 from the West Gate to assure historical visitation opportunities. Adaptive management is the proper process for making additional adjustments. The "Management Actions" discussed in Table 11 should clearly show for many of the items being monitored that all efforts to mitigate would be undertaken before establishing a carrying capacity. Dropping to 700 from the West Gate would not be necessary unless it was clearly documented through the Adaptive Management process that this policy was needed to protect the Park resources and that snowcoach ridership could fill the gap.
- ❖ The pilot project with the West Gate should be a basic ingredient in such an evaluation. Last winter's grooming efforts between West Yellowstone and Madison—double grooming at night and daytime grooming—clearly demonstrated to me that such effort is economically feasible and will provide a favorable visitor experience with as many as 900 snowmachines per day.
- ❖ I do not recommend a season long reservation system, but feel that the Christmas week and President's weekend would be sufficient. If this process is not sufficient, it could always be expanded.
- ❖ The traffic on the Continental divide trail should not be limited until it is studied in more detail -- night closures, double grooming, etc. After such study effort, it may become necessary to set some limits, but to pick 150 per day is completely arbitrary and not based on any science.
- ❖ The rubber-track snowcoach being allowed from mid-November to the second Tuesday in December should be implemented immediately. There is no reason to have the West Gate closed just because there isn't enough snow to groom when we have our snowcoaches available and ready -- but the Park is closed.
- ❖ Implement the 35 MPH speed limit from West Yellowstone to Old Faithful.
- ❖ Explore incentives to get more double riding snowmobiles.
- ❖ Explore incentives to get more snowcoach ridership.
- ❖ Establish an advisory council with local gateway business people on the council as well.

Thank you for the opportunity to comment on the SEIS. I hope my suggestions will be helpful in preparing your preferred alternative.

Sincerely,



Glen Loomis  
304 Bechler, P.O. Box 61  
West Yellowstone, MT 59758



Montana Department of  
**ENVIRONMENTAL QUALITY**

Judy H. Martz, Governor

P.O. Box 200901 • Helena, MT 59620-0901 • (406) 444-2544 • Website: [www.deq.state.mt.us](http://www.deq.state.mt.us)

March 15, 2002

Bill Howell  
PO Box 337  
West Yellowstone, Montana 59758  
FAX 406 646 4433

RE: Monitoring of emissions at the West Entrance to Yellowstone National Park

Dear Mr. Howell:

As I have previously stated and will be printed in a public report shortly, the Montana Department of Environmental Quality has not monitored any exceedances of National Ambient Air Quality Standards (NAAQS) or the Montana Ambient Air Quality Standards (MAAQS) for carbon monoxide since monitoring began in 1998. MAAQS and NAAQS require a certain emissions monitoring method be used to determine the level of a pollutant. DEQ placed a monitoring station at the West Entrance of Yellowstone National Park because certain grab sample data collected in 1995 indicated high readings of carbon monoxide that might indicate a public health concern. Further, there were complaints from Montana residents and area workers about visible pollution at the entrance. As you know, there are other pollution concerns for workers around that area that the report will also reference. We will send you a copy of the report when it is available.

Sincerely,

Howard E. Haines, Bioenergy Engineering Specialist  
Montana Department of Environmental Quality—PPA  
1520 East Sixth Ave or PO Box 200901  
Helena MT 59620-0901  
Phone 406 444 6773, Fax 406 444 6836  
Email: [hhaines@state.mt.us](mailto:hhaines@state.mt.us)

Centralized Service Division • Enforcement Division • Permitting & Compliance Division • Planning, Prevention & Assistance Division • Remediation Division

Winter Use Draft SEIS Comments  
Grand Teton and Yellowstone National Parks  
Box 352  
Moose, Wyo. 83012

5/24/02

I am a business owner and resident of West Yellowstone. Under the umbrella name Yellowstonevacations.com, I provide the following services to Yellowstone National Park visitors: lodging, car rentals, sightseeing tours, snowmobile rentals and snowcoach tours. I am a 3<sup>rd</sup> largest land owner in West Yellowstone. Please accept the following comments on your winter use plan alternatives.

Alternative 1, 1A and 3. All of your data, surveys and my 22 year experience tell us the public's acceptance of these alternatives will be negative. These alternatives will be economically devastating to the gateway communities and will impact the highway corridor business leading to Yellowstone. People want to see the Park individually on snowmobiles and without a guide.

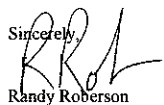
Alternative 2. This Alternative with some adjustments could be workable from an economic stand point and could become a desirable form of access. Here is what I feel are key points to consider when crafting this option:

Capping below 900 snowmobiles per day without dependable, desirable snow coach technology available is in effect reducing historical visitation numbers. This contradicts page 281 of the winter use plan which states "All alternatives will protect historical visitation". Today's snowcoach technology is undependable. I operate the most technology advanced snowcoach in the Park today. Maintenance and breakdowns are common place, the overhead of which negates my profit, inconveniences my customers and at time compromises their safety. Until dependable appealing snowcoach technology like the US NPS "New Red Bus" becomes available, you will not see private enterprise investing in currant snowcoach technology. Once new snowcoach technology is available then and only then should you consider reducing snowmobile numbers and only if necessary. Mitigating problems associated with snowmobiles may eliminate the need to reduce them.

- ❖ Green snowmobile technology is available now. Currant snowmobile numbers entering YNP are insignificant compared to summer use.
- ❖ Guided trips diminish the experience by eliminating the freedom of exploring on your own. Makes 'gate hopping' impossible.
- ❖ I question the accuracy of your economic impact estimates, for example, I am the 3<sup>rd</sup> largest snowmobile operator in West Yellowstone. I was not contacted by your economic survey team until your new alternatives had been on the 'net' for 2 weeks. Where did they get their data?

- ❖ Historical visitation levels at each entrance must be protected. An adaptive management plan must be crafted to protect these levels during a transition of less snowmobiles / more snowcoaches.

More transition time is needed, whatever your decision. One year is not enough time! I recommend a 3 - 5 year transition period while applying an adaptive management plan. Please do not exclude members from Gateway business sector as your planning partners. We have an enormous amount of experience and insight that would be very helpful in future projects that impact us and our visitors.

Sincerely,  


Randy Roberson  
 YellowstoneVacations.com  
 Box 580  
 West Yellowstone, Mt. 59758

cc: Suzanne Lewis

**CLYDE G. SEELY**

P.O. Box 1590

West Yellowstone, Montana 59758

Winter use Draft EIS Comments  
 Grand Teton and Yellowstone National Park  
 PO Box 352  
 Moose, Wy. 83012

May 8, 2002

To whom it may concern:

This will be the first in a series of statements for the public record on the 2002 Winter Use Study. My comments in this document will be directed toward the feasibility or lack thereof of the snowcoach to satisfy the winter transportation needs of the public. The snowcoach, as we now know it, will fail dismally in accomplishing the transportation needs intended in the FIS and the SEIS documents. The 2000 Record of Decision banned snowmobiles and required all snowcoach travel. We are the snowcoach operators. They in effect threw us the ball and we were supposed to take it and run with it. In other words they threw us the ball with now game plan and we were supposed to come up with one.

Those of us in West Yellowstone, Flagg Ranch and the East Gate who operate snowcoaches and live in this area, **would be considered expert witnesses in any court of law regarding the intricacies of snowcoach operation. As one of the largest collection of snowcoach operators in the world, representing hundreds of snowcoach years of operational experience, we believe we would be considered experts in the following areas:**

- ❑ The mechanical limitations of the old bombardier track type snowcoach and the new retrofits that are currently being used in Yellowstone.
- ❑ The marketing of the snowcoach to potential clientele.
- ❑ The feasibility of snowcoach access to all parts of Yellowstone and the Grand Tetons.
- ❑ The viability of financing the purchase of vehicles and tracks or the building of track systems.
- ❑ Whether or not a snowcoach operation of the sufficient magnitude necessary, between 150-184 units, with a poor track record of public acceptance (snowcoach customers represent only about 10% park wide of the total visitors vs. 90% snowmobile customers) will in fact satisfy the goals of the 2001 record of decision.
- ❑ Indoor storage and maintenance facility requirements and the lack of availability of these facilities.
- ❑ The cross over (enter one gate and exit another) possibility of snowcoach experiences that have historically been a popular snowmobile activity.

As representatives of the snowcoach community from West Yellowstone, Flagg Ranch, and Pahaska Tepee, we submitted a letter during the EIS process dated October 20, 2000. (See Attachment #1) **We believe this letter was totally ignored during the EIS process. It expresses our concerns, as major snowcoach operators, about the viability of Alternative G, "the all snowcoach alternative."** To this day, our concerns have never been adequately disclosed or addressed yet the "all snowcoach" alternative was chosen. It is completely incongruous that a decision of this magnitude would be made to ban snowmobiles and put the responsibility of providing the winter transportation needs in Yellowstone Park of between 60,000 and 80,000 people on the backs of a few snowcoach operators, especially, when those operators very clearly stated the alternative was flawed and would not work in the first place. Clearly the public has been

misled, perhaps even deceitfully so, into believing that their right of public access to the Parks would be secure

It is also completely incomprehensible that the planners and ultimately those who wrote the Record of Decision signed November 22, 2000 could ignore the expertise of these "on the ground" experienced snowcoach operators. These snowcoach operators were never asked the following:

1. If they were interested in providing the snowcoaches necessary for this alternative?
2. If the snowcoach, as we know it or as NPS envisions it, could be privately financed?
3. If they believed there would be a viable market of snowcoach patrons?
4. If they believed snowcoach access to the entire Park was logistically possible?
5. How long would it take to gear up and to make a transition to all snowcoaches?
6. Whether indoor maintenance facilities exist or could be built by the operators to build, maintain and store snowcoaches?
7. What would be done with the large amounts of coaches in the summer?
8. Could these vehicles be amortized over a three-month winter season?
9. Could the entire Park be accessed from the West Gate or any other Park Gate as it has been by the snowmobiles?
10. Were the snowcoaches currently being used able to stand the rigors of the kind of speed and constant use that would be required to take approximately 60,000 people through the West Gate and throughout the entire Park?
11. Do the operators believe the existing snowcoaches were mechanically sound and a realistic solution for this type of winter mass transit?

While we were not asked these questions, we did ask them through various levels of the Department of Interior and the NP. The responses were generally evasive and/or that "they would make the decision and figure out the details later" as to how to make it work. I have letters too and minutes from personal meetings with Don Barry, Destry Jarvis, Stephen Saunders, Ken Smith and former Superintendent Mike Finley pertinent to the above concerns. (I will be happy to provide such documentation if requested). We offered our suggestions as a snowmobile rental and snowcoach operator community but it was rather obvious they interested in listening to anything but a snowmobile ban. The lack of response from them certainly indicated they were not interested in working through the problems with the community.

We are presently led to believe by agency contacts that: A) a "new concept" snowcoach would be built and funded by the government. B) Several million dollars would be spent on R and D for a new type of snowcoach that would be mechanically sound and enticing enough so the public would want to ride in them. C) Several million dollars would be spent to market to a new group of people who would then come and maintain historical yearly levels of visitation. D) Mike Finley said there would be a new prototype snowcoach operating in Salt Lake at the 2002 Winter Olympics. It would then be brought to Yellowstone so we could have input and that eight million dollars would then be spent on the production model snowcoaches. These would be available for the local snowmobile operators to use as replacements for snowmobiles. Obviously, this has never happened. E) We were repeatedly told that it was not the intent to reduce numbers of visitors to Yellowstone, just numbers of motors. Unless the "new concept" snowcoach is up and running successfully and attracting the winter visitors at the historical winter visitation levels, the public will be denied access and the community will be financially impacted.

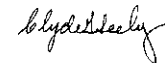
Our many questions have been ignored, never addressed and what is worse, have not been disclosed as significant input in the appendix as concerns that needed to be addressed for the successful implementation of a snowmobile ban. Having said all of this, there was the beginning

of communication initiated by the NPS; with the snowcoach operators about what kind of snowcoach would be workable. We were then asked for a "wish list" of what would need to be included if a "new concept" snowcoach were to be built. (See Attachment #2 -- new snowcoach wish list). We began a series of meetings with John Sacklin, Kerry Klingler of INEEL and John Leer of Ruby Mountain from Salt Lake City regarding our "wish list." John Leer and Kerry Klingler have been very helpful in keeping me up to date regarding the development of the "new concept" snowcoach plan and the overall concept. There is now a plan for financing, developing prototypes and eventually asking for congressional funding for large numbers of multi-purpose vehicles that could be doubled in the winter as snowcoaches. I was extremely disappointed that no mention of this plan was included in the DSEIS. The public is led to believe that it will be business as usual and assumptions are made that the current operators will just step up to the plate and provide these large quantities of current model snowcoaches. This assumption by the public has been made because the real plan has been masked and kept hidden. The "new concept" snowcoach plan should be laid out to the public in the FSEIS with a workable timeline given. Any decreasing in numbers of snowmobiles should be tied to the production of, successful marketing and public acceptance of the "new concept" snowcoaches. There is now a meeting with the snowcoach operators and appropriate parties on June 4, 2002 to divulge publicly the plan for the proposed development for the "new concept" snowcoach. This is after the public comment period is over. I hope the upcoming information will be divulged in the FSEIS with timelines, financing sources, marketing plans.

The success or failure of the SEIS should be as a result of full disclosure of the planning process. I may support a reduction in snowmobiles if there is implementation of a viable plan to provide yearly historic visitation levels. I would be willing to work together with the Park Service and work toward the development and passage of a plan that would promote increased snowcoach activity if there were assurance that the yearly winter visitation levels would be maintained. "Heads in beds" is where the generation of our economic base begins. This may require adaptive management, cooperative planning and arriving at solutions that will work, from the perspective of not only the NPS, but also of those on the ground that are ultimately left to make the decision work. We have never been treated as a partner in this effort. The attitude of the NPS was pretty clearly stated by Mike Finley, former Superintendent of Yellowstone, in a radio panel we both participated in several years ago. He said, regardless of whether we felt the snowcoach alternative would work or not, he was sure that we as "enterprising business people" would figure out a way to make it work.

The group of Snowcoach operators in the Yellowstone area will be sending another letter with our input shortly. I hope that it will be strongly considered.

Thank you for your consideration,



Clyde G. Seely  
Enc.

Attachment #1 - public comment letter of Oct. 20, 2000 addressed to Ken Smith from snowcoach operators

Attachment #2 - New snowcoach wish list

Attachment #3 New Red Bus

Ken Smith  
Acting Assistant Secretary for Fish  
and Wildlife and Parks  
United States Department of Interior  
Office of the Secretary  
Washington, D.C. 20240

Clifford Hawks  
National Park Service,  
12795 West Alameda Parkway  
Lakewood, Co. 80228

Oct 20, 2000

From  
Representatives from West Yellowstone (West Gate, Yellowstone Park)  
Flagg Ranch (South Gate) and Pahaska Teepee (East Gate)

Dear Mr. Smith and Mr. Hawks:

We wish to speak with a united voice and from a position of vast experience regarding the Preferred Alternative G, (the all snowcoach alternative).

We have read with great interest the details of Alternative G regarding the proposed and ultimate exclusive use of the Snowcoach to provide the transportation needs of the public. The Winter in Yellowstone experience has historically included the snowmobile which has been the mode of transportation of choice. We believe that the right of the public to enjoy the Park in the winter is of paramount importance and is only second to the main goal of protecting the Park for the future. We believe that choosing the (all snowcoach) alternative is going too far and will deprive the public the right given to them in the enabling legislation of 1872 that set Yellowstone aside "as a public park or pleasuring-ground for the benefit and enjoyment of the people;"

The following are reasons why we believe the above alternative will in fact deny instead of provide access to the visiting public:

1) Our experience shows us that the enjoyment level of the snowcoach visitor vastly diminishes, if not ceases to exist after 90 miles per day. The enclosed map shows destinations that would be possible near this mileage limitation from each of the three entrances.

- ♦ **West Yellowstone:** Possible day trip destinations would be 1) Old Faithful (60 mile round trip) 2) The Grand Canyon (90 mile round trip) 3) Mammoth (100 mile round trip). Please note that anyone going to visit these three destinations would have to traverse the 14 mile road between West Yellowstone and Old Faithful 6 times. The popular Hayden Valley, Dragons Mouth, Yellowstone Lake and other areas would have public access denied. During the 1998-99 winter 59,928 people entered.

Attachment #1

- ♦ **Flagg Ranch:** Alternative G. states that the road from Colter Bay to Flagg Ranch would remain unplowed. This would make all of Yellowstone inaccessible to all those who have traditionally entered by snowmobile or snowcoach from the South Gate. The following are reasons for this statement: Alternative G states the road from Colter Bay to Flagg Ranch would be open only to snowcoaches as well as the Grassy Lake Road and that Flagg Ranch would become a destination. **Please understand that Flagg Ranch will be closed if the roads are not plowed.** (Please talk to Bob Walker for details) It is painfully obvious that if Flagg Ranch is closed there will be no staging of snowcoaches, no overnight lodging, no fueling of snowcoaches etc. Day trip destinations would no longer be possible. Old Faithful would no longer be desirable as the public would have to ride from Colter Bay to the first main attraction, Old Faithful, and back for a distance of 114 miles. There are few animals and points of interest between Old Faithful and Colter Bay. The Grand Canyon was not a desirable snowcoach destination from Flagg Ranch before the proposed change because the great distance precluded an enjoyable popular trip.

Yellowstone would therefore be largely inaccessible from the South gate. During the winter of 1998-99 there were 20,385 people who entered the South Gate. Now reasonable public access would be denied to these people.

- ♦ **Pahaska Teepee:** The only possible destination within the 90 mile enjoyment level is limited to the Grand Canyon. All other parts of the Park would be denied reasonable access to the public because of great distance. It should also be noted that snowcoach travel over Sylvan Pass with avalanche and the side hilling required is not advisable. Reasonable access from Pahaska Teepee would again be denied to the public. Based on the 1998-99 year 2,889 people would be denied reasonable access.

The following are other constraints that will not allow the success of an "all snowcoach" alternative:

- ♦ **Speed not sufficient for long distances:** It is stated that the elimination of snowmobiles will make the roads smoother, thereby making it possible for snowcoaches to go faster. The track conversion vans currently used cannot go faster than 25 to 30 mph as there is an excessive amount of wear and tear at faster speeds. The Mattracks manufacturer states the max. speed for that system is 40 mph. However, such speeds cannot be constantly maintained because of high maintenance breakdowns and the need for frequent viewing stops. Given the best of conditions, much of the Park would become inaccessible.
- ♦ **Safety:** Possible increased speed and numbers of snowcoaches would increase safety hazards. Snowcoaches passing at greater speeds in the same direction or in opposite directions could cause hazardous conditions or even head on collisions around bends. Should there be accidents the possibility of up to 20 people needing medical attention or even helicopter retrieval is complicated by sheer numbers.
- ♦ **Mechanical breakdowns and inadequate technology:** Current technology has not overcome mechanical undependability. When a snowcoach breaks down 40 miles from home base, the guest has to wait long hours for solutions to the problems. If after waiting in the field, the problem cannot be fixed, another snowcoach has to be brought in and the broken one pulled out. Besides customer inconvenience and

dissatisfaction, the operator may have a \$1000 fee for retrieval of the snowcoach and in some cases has to hire the competition to retrieve the passengers and still give guest refunds.

- ◆ **Expense of getting into the business:** Assuming a snowcoach could be purchased for \$65-\$70,000 and it would carry 10 people, a fleet of 20 snowcoaches would have to be procured to carry 200 people. Historically a snowmobile operator with about 125 snowmobiles could transport the same 200 people. A real advantage to snowmobiles is that they can be sold after each year, thereby freeing up capital and they can be housed in a shop that is relatively small. On the other hand 20 snowcoaches could cost up to \$1,400,000 and could not be sold after each year and would sit idle 9 months out of the year, thereby tying up capital that is continuing to accrue interest. Old snowmobile shops would have to be torn down and replaced with a building that would likely cost a minimum of \$500,000. Such a snowcoach storage building would have to be much larger than a snowmobile facility. Land costs are extremely high in West Yellowstone and in some cases not available. Potential land would likely cost between \$300,00 and \$500,000 and may not even be located in proximity of the business. The total potential start up costs would be at least \$2,200,000. No lending institution would finance this amount based upon the unsupported statement of the NPS that people will come. (No marketing or feasibility studies have been done)
- ◆ **Not a cheaper mode of transportation:** The current conversion vans still are not a very comfortable or enjoyable experience for the visitor. If and when newer designed snowcoaches are developed they would cost more than twice as much. Obviously, if this alternative is chosen the daily customer charge would have to be increased many times. Based on the affordability and the customer enjoyment level, it is likely that occupancy would be very low. Therefore, any of the public who don't fit into this strata of conditions would be denied access to the Park.
- ◆ **Historical preferred use has not been the snowcoach:** The operators listed below have advertised for years to the public offering snowcoach as well as snowmobile opportunities. Loomis Enterprises has had less than 5% of their clientele ride on snowcoaches and more than 95% ride on snowmobiles. Yellowstone Tour and Travel has had between 5%-8% ride on snowcoaches vs. 92%-95% ride on snowmobiles. Flagg Ranch has had 10% ride snowcoaches vs. 90% snowmobiles.

A study completed by the West Yellowstone Chamber of Commerce on February 21, 1997 shows that 73% of the respondents thought that snowmobiles should not be discontinued. As we have traveled to various consumer shows, there is a resounding sentiment that if the snowcoach is the only mode of transportation available, the people will not come.

- ◆ **An "all snowcoach" alternative will be financially devastating to our businesses:** While we are either increasing or improving our snowcoach fleets this year to

accommodate the NPS desire to increase snowcoaches, we believe that people in general will be denied either by choice or lack of accessibility most of the Park. It they are denied there right to see Yellowstone as they wish, the results will be vastly lower visitor counts and will result in financial ruin for not only our businesses but other related tourism businesses. **If the NPS believes otherwise, then let the burden of proof be on them to conduct a feasibility study and or business plan.** Such studies may not be required but morally should be expected to ensure the workability of such a drastic change in historical use.

In conclusion, may we say unequivocally that while the snowcoach is a viable option for seeing the Park for some, mostly older people and handicapped citizens, it will not work as an exclusive transportation system for all.

Please heed the concerns of we who are experienced "on the ground" operators and current concessionaires of Yellowstone National Park.

#### West Gate operators

Yellowstone Tour and Travel

Clyde G. Seely F.W. Howell

Loomis Enterprises

Glen Loomis Gale Loomis

#### South Gate operators

Flagg Ranch

Bob Walker

#### East Gate operators

Pahaska Tapes

Bob Coe

#### Enclosures:

Yellowstone Park Access Map

West Yellowstone Chamber Survey Results

cc.

Senator Max Baucus  
Senator Larry Craig  
Senator Mike Crapo  
Senator Tom Daschelle  
Senator Mike Enzi  
Senator Trent Lott  
Senator Ted Stevens  
Senator Craig Thomas

Representative David Bonior  
Representative Barbara Cubin  
Representative Tom Delay  
Representative James Hansen  
Representative Rick Hill  
Representative Donald Manzullo  
Representative James Oberstar  
Representative David Obey  
Representative Bart Stupak  
Representative Don Young

## New Snowcoach Wish List

Attachment #2

To Bob Seibert:

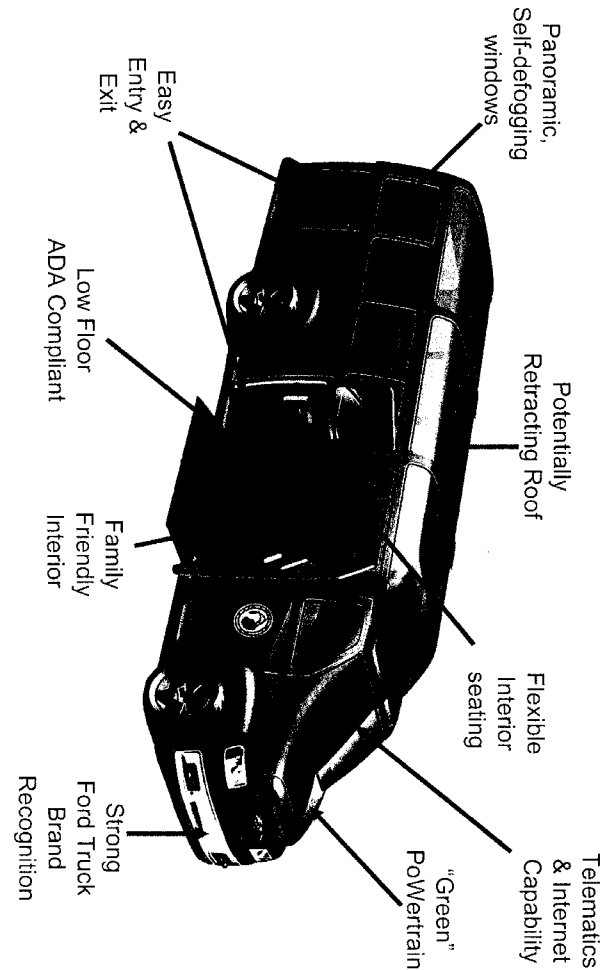
Nov. 4, 2000

In response to your request for a wish list for the ultimate snowcoach for R. and D. I submit the following:

- ◆ Large windows that do not frost up nor collect snow on the outside.
- ◆ Good visibility over persons heads and through front as well as side windows.
- ◆ Comfortable seating, I.E. individual seats, soft, easily accessible.
- ◆ Easy passenger entry and exit, Depending on the size of vehicle more than one door. Passengers need to be able to quickly load and unload so as to lessen animal jamb stops.
- ◆ Reasonably pleasant interior, i.e. carpet floors padded walls and ceiling with appealing decor.
- ◆ Smooth riding with good suspension. I would think it should have 4 point contact on the snow to help smooth out bumps.
- ◆ Reasonably inside quiet.
- ◆ Rubber all-weather, snow condition track
- ◆ Mechanically bullet proof.
- ◆ Built reasonably close the ground.
- ◆ Interior height to accommodate near standing position.
- ◆ Excellent interior sound system for audio information.
- ◆ Seating configuration not to exceed two i.e. X X \_ X X
- ◆ Vehicle should be able to start at -40 degrees for exterior starting.
- ◆ Not dependent on inside storage.
- ◆ Super heating and ventilation for passenger comfort.
- ◆ Small enough to allow coaches to profitable operate with small numbers of customers, i.e. 5-15 people.
- ◆ Cost not to exceed \$70,000.
- ◆ Maneuverable with short turning radius
- ◆ Comfortable and effortless speeds of 45 MPH.
- ◆ Good floatation to avoid getting stuck in deep new snow.
- ◆ Personal storage compartment for lunches, personal items and skis

This is just a quick list. It probably could be added too with more thought. The Coach must be affordable, therefore profitable, comfortable, enticing to ride, able to see all of the Park, including the lower loop on day trips from any of the entrances. It should allow individualized experiences.

Clyde G. Seely



Attachment # 3

# U.S. National Park Service NEW RED BUS

**"New Concept Snowcoach"**

Released May 23, 2002  
Idaho Falls, Idaho

On May 23, 2002 an informational meeting was held to update the "new concept" snowcoach. Present were Kerry Klingler from INEEL, John Leer from Ruby Mountain, Dick Reef from ARBOC as well as a snowcoach contingency from West Yellowstone, Clyde Seely, Bill Howell, Glen Loomis and Randy Roberson. We were given an update from the beginning of the process to develop a "new concept" snowcoach to be used as a multi use vehicle. We were told that the concept was brought into play at the end of the previous administration. Ken Smith, then Acting Assistant Secretary for Fish and Wildlife and Parks, committed to the project and it has proceeded since that time.

It is now believed that \$200 million for R&D has been committed. INEEL will be responsible for the multi fuels engine and ASG Renaissance, specifically ARBOC and Dick Reef will be responsible for the development a low floor chassis and cab. (See picture of the NEW RED BUS attached) Another company is working on the rubber track winter conversion package.

**The timeline expected providing all funding falls into place would be:**


**December 2002**----- One prototype could be in West Yellowstone  
**August 2003** -----LNG and upgraded prototype would be available.  
**Winter 2004-2005**----- 50 demo vehicles produced. Not all as snowcoaches.  
**2005-2006**----- Full production would begin.

We have asked for full disclosure of this plan since its inception and stated that it should have been included in the EIS and in the DSEIS. We again make that plea for the same in the FSEIS. Without such information being given to the public and to the snowcoach operators, how can rationale decision be made? The snowcoach operators were thrown the ball, while the game plan was withheld from them. The public has responded on the premise that the current snowcoaches could meet the transportation needs. Nothing could be farther from the truth. Others and I have repeatedly said so.

There are many more details that are now available and will be disclosed to the public in early June. Once again, this "new concept" snowcoach is the fulcrum on which the success or failure of any mass snowcoach rests. It must be accepted as such. If the final decision is to be sustainable, the facts must be presented.

Historical visitation levels must be maintained. There should not be reductions in snowmobiles until the successful introduction and acceptance by the public of this "new concept" snowcoach.

Thank you,

  
Clyde G. Seely

Attached is the picture of the **NEW RED BUS** potentially the "new concept" snowcoach.

Winter Use Draft EIS Comments  
Grand Teton and Yellowstone National Park  
PO Box 352  
Moose, Wy. 83012

From:  
Yellowstone Park Snowcoach Concessionaires  
Located at  
West Yellowstone and Flagg Ranch,

May 15, 2002

To Superintendents Office:

We wish to speak as a consortium of snowcoach operators in Yellowstone Park (the "Park"). It was the intent of the 2000 Record of Decision ("ROD") to implement a snowmobile ban and have the snowcoach replace the snowmobile as the only motorized means to visit the Park. We currently operate Bombardier snowcoaches and retrofitted vans with tracks and / or the Matracks conversions. We have great concerns that these vehicles are not mechanically capable of, nor enticing enough to the public, to satisfy the total needs of winter transportation in the Park of the magnitude envisioned in the ROD. Nor has there been any studies done that show the public in general will continue to come to see the Park if the only mode of transportation is the snowcoach. We believe our input should be taken seriously since we are experienced snowcoach operators with many years of experience. We are asking the NPS to weigh heavily our concerns in the following areas:

1. We understand the NPS to be working on a "new concept" snowcoach that they believe to be essential in order to handle increased snowcoach activity and at the same time reduce numbers of snowmobiles. We concur with the necessity of a "new concept" snowcoach. However, it must be mechanically proven and practical as a means of winter transportation with the capabilities of carrying the large numbers of people into the Park from the various gates as implied in the SEIS. However, both the development and purchase costs of such "new concept" snowcoaches appear to be well beyond the financial means of any existing operators. In short, they would have to be funded by the government.
2. In order to adequately inform the public we believe the NPS must clearly state in the FSEIS the intent of the NPS to provide such vehicles and that a reduction in snowmobiles must be offset by increased snowcoach availability and acceptance. The NPS must also explain this cannot happen with the existing fleet of hybrids and older model machines that currently exist.



3. We believe that any increased snowcoach viability must be based on the following:
- A) "New concept" snowcoaches must be proven to be workable and produced in sufficient quantities.
  - B) Maintenance and garage facilities must be constructed.
  - C) A marketing effort financed by the NPS or the Department of Interior.
  - D) Sufficient time to make any transition to increased snowcoach acceptance.
4. We do not support a total ban of snowmobiles for the following reasons:
- A) Diversified transportation in the Park is essential to accommodate the needs and desires of the public. Elimination of snowmobiles would curtail the individualized experiences that the snowmobile provides.
  - B) Trying to force exclusive snowcoach use by banning snowmobiles may exclude a large group of the public who may have different expectations and desires from their Park experience than the snowcoach will provide.
  - C) There is a significant amount of snowmobile cross over traffic, i.e. snowmobiles entering the South Gate, exiting and recreating in the forest trails outside the West Gate and vice versa. There are also a significant number of people that overnight at more than one of the four entrances via snowmobile. We cannot satisfy this demonstrated need with the snowcoach because of distance and mechanical uncertainties.
  - D) By far the majority of winter visitors enter the Park from the West entrance. Overnight facilities within the Park are not sufficient. Visitors that wish to see Mammoth, Canyon and Old Faithful on different day trips in a snowcoach must pass over the road from West Yellowstone to Madison Junction six times. Consequently a large part of the daily experience would be redundant, thereby decreasing their enjoyment level. If the "new concept" snowcoaches are developed, they should be made to accommodate the 120 mile lower loop in one day.
5. Finally, let us state that we believe the NPS should state unequivocally that it does not intend to cut historical winter visitation levels, assuming this is the case. Peak snowmobile days can be reduced providing the new snowcoach seats pick up the slack. We believe that the new snowcoach technology that is envisioned, the new 4-stroke snowmobile, and continuation of the pilot program implemented this past winter will decrease the environmental concerns and thereby allow maintaining these visitation levels. The economic vitality of the Yellowstone communities must remain healthy in order to protect the Park by offering bedroom service and various concessionaire services. We as snowcoach concessionaires cannot operate as an island in an unhealthy local economy just as the Park cannot operate as an island unto itself. Should the NPS ignore this suggestion or otherwise fail to express its intent in the FSEIS to maintain historical winter visitation levels, we will interpret such action as a public acknowledgement that NPS intends to reduce winter visitation to the Park and surrounding communities.

Thank you for your consideration

Yellowstone snowcoach concessionaires:

#### West Gate Operators

Yellowstone Tour and Travel

*Clyde G. Seely* *F.W. Howell*  
Clyde G. Seely F.W. Howell

Loomis Enterprises

*Glen Loomis* *Gale Loomis*  
Glen Loomis, Gale Loomis

Yellowstone Alpin Guides

*Scott Carey*  
Scott Carey

Yellowstone Vacations

*Randy Roberson*  
Randy Roberson

High Mark

*Ron Gatheridge*  
Ron Gatheridge

Yellowstone Tour Guides

*Doug Holstein*  
Doug Holstein  
signed by Doug

#### South Gate Operator

Flagg Ranch Resort

*Robert Walker*  
Robert Walker

#### East Gate

(Even though we do not operate snowcoaches, we concur with the above letter and state that we do not believe the snowcoach is a viable mode of Park access because of safety and great distances to major destinations.)

Pahaska Teepee

Bob Coe

*Bob Coe*

Returned by FAX: 5/22/02

Winter Use Draft SEIS  
Grand Teton and Yellowstone  
PO Box 352  
Moose, Wy 83012

From the West Yellowstone Rental operators  
Box 1590  
West Yellowstone Mt. 59758

May 22, 2002

To Whom It May Concern:

This letter represents the snowmobile rental operators from the West Yellowstone area. Some hold Yellowstone Park Snowmobile Concessions permits. We wish to submit these comments for your consideration during this extremely difficult SEIS process.

The first part of this letter will critique, sometimes randomly, points that are made in the DSEIS. The last section will present components of a workable proposal from our group.

#### Alternative 1A and 1B:

We are opposed to both of these alternatives because 1) they ban snowmobiles, thereby limiting access to the public and denying the individual freedom that people should be able to have and have come to enjoy in their Park and 2) it would be financially devastating to the gateway communities. We have operated snowmobile rentals, in some cases up to 30 years. Our clientele to a great degree are repeat customers. They come because they enjoy Yellowstone and in some cases will continue to ride in the surrounding national forests. Yellowstone, however, is the main reason they come. They have indicated in large numbers that they would not return if they could not use their snowmobiles on an individual basis as transportation in the Park.

#### Alternative 3:

This alternative limits snowmobiles to 330 per day and closes to snowmobiles the Friday after Pres. Holiday. The following are reasons why we cannot support this alternative:

1. **Financial Impact:** Based on 2001-2002 West Gate Snowmobile entrance numbers (See Attachment #1 - 2001-2002 West Gate Snowmobile Entries) a total of 50,508 snowmobiles entered the Park, at the rate of 1.25 persons per snowmobile, this translates to 63,135 people. With the proposed cap and the closing date (indicated in the black box of 70 days) only 28,875 people would be allowed to enter Yellowstone National Park. This would exclude 34,260 people from entering YNP and at the rate of \$255.00 per person (total expenditures in the community) that translates to a loss of \$8,736,300 in revenue to the town of West Yellowstone (See Attachment #2 - West Yellowstone Graphs & Charts of Snowmobile Entries for previous years).
2. **Guided only:** It is difficult to hire personnel for a short season. Exclusive trained and qualified guided requirements would stretch the employment capabilities of our community. Peaks and valleys of volume, especially if any of

the other Alternatives would require staffing for peak days but lay offs during the down times.

3. **Photographers:** There are many photographers that use the snowmobile to leisurely photograph their subject. Avid photographers will often stay in one place for hours. The snowcoach would deny them that individuality.
4. **Cross-over traffic from one gate to another:** There are great numbers of snowmobile patrons that enter one gate, exit another and recreate outside the Park at the other gate. This happens from all gates. This activity happens largely as a result of the private snowmobile owner. They would decline coming rather than have the expense and limitations of a guide.
5. **Over 300 snowmobiles cause deterioration of trails:** (see footnote 20 page 55, DSIES) this note refers to the need for lower numbers of visitors from West Yellowstone to Old Faithful. This is not justified. The stated "data indicates over about 300 snowmobiles causes deterioration of the snow surface on some days" is not true. With the increased grooming effort this past winter, it is obvious that more than 300 snowmobiles can be accommodated on normal days. We could not find the letter dated November 8, 2001, which was referenced. We would like to see that letter, who wrote it and we seriously question its validity. The winter of 2001-2002 disproved the 300 numbers as almost every day exceeded 300 snowmobiles, but increased grooming helped to substantially mitigate the concerns. We believe that double grooming at night and daytime grooming would support 900 visitors per day without the trails deteriorating and reducing the visitor experience.
6. **Encourage increased snowcoach fleet size and allow snowmobile operators and other new operators to purchase coaches and reduce snowmobile numbers.** Page 56, 4<sup>th</sup> bullet
  - ❖ The NPS has been working for some time on developing a "new concept" snowcoach for which some of us were officially briefed on May 23, 2002 (See Attachment #3 -- "New Concept" Snowcoach). This plan has been in the making for several years but has been kept under cover. It is time to bring it out in the open and include it in the FSEIS. The plan is there and operators need to be made aware of it. Full disclosure is not being practiced unless everyone is informed. It is not ethical to encourage large capital expenditures of operators to purchase new snowcoaches without divulging to them that a "new concept" snowcoach, funded by the Government, will eventually be out and would cause even new conversion vehicles to be antiquated. Surely such information should be divulged to them before they make such expenditures.
  - ❖ The number of snowcoaches and operators were allowed to increase last winter. There was also increased marketing to the snowcoach audience as a result of these additional concessionaires. There was still a decrease in visitation as indicated above. Those who had existing snowcoaches suffered a significant loss. One operator increased advertising by 30%, and still his volume was reduced. Even with the new operators and additional snowcoaches operating and most increasing their snowcoach advertising, the number of snowcoaches going through the West Gate in

January was down 14.4% and in February down 4.5%. March was not comparable because the park was closed the previous winter.

7. Please refer to page 57 under actions for Yellowstone National Park of the DSEIS which states, "During the winter of 2003-2004, if at least 600 snowcoach seats are not available for visitors park wide, YNP would allow up to 220 more snowmobiles to enter through the West Entrance each day (daily ceiling would not exceed 550 snowmobiles through the West Entrance for that winter season) so that historic average use levels are maintained. The number of coach seats will be determined as of December 1 for the upcoming winter".

- ❖ While we applaud the concept introduced here to decrease snowmobile numbers only when new snowcoaches are available. It should be made clear that these will be "new concept" snowcoaches, funded by the Government. It is not enough to just have them available but also to have them tested, proven, and adequately marketed so as to attract customers to actually book and ride in them.
- ❖ It does not follow that if there are not up to 600 seats available park wide there should be an increase of 220 more snowmobiles allowed at the West Entrance. There is no correlation. This is an erroneous statement in the first place since according to the concessionaire's office there are already 713 snowcoach seats available park wide. Secondly, there is no indication that because seats are available, they will be filled. For instance, as the chart shows, the average seats occupied per coach were 6.8 people (See Again Attachment #3). **Historic visitation levels must be maintained.** Page 281 of the DSEIS, second to last sentence states, "*All Alternatives evaluated in both the SEIS and the FEIS are intended to maintain the current level of recreational visitation in the parks, although modes of access differ*". We agree that reductions of snowmobiles in Yellowstone may need to happen from time to time but not until the "new concept" snowcoach is on line, proven, marketed and has shown that the visitation levels can be maintained. Therefore, numbers of snowmobiles should only be decreased when it does not decrease the historical visitation levels of visitors at each gate, so that the economies of the towns survive. With the passage of time and new snowmobile technology, numbers of snowcoaches and snowmobiles could conceivably both be increased.
- ❖ "**Available**" seats in the above quote should be replaced with booked or occupied seats. "New concept" snowcoaches must be successfully marketed so as to create the demand for **additional** snowcoaches. Reducing snowmobile numbers must be offset by proportionate increased snowcoach acceptance and usage.
- ❖ There should be a method in place to maintain the level of winter visitation at the West Gate at approximately 60,000 people. Of course, it is understood that a method must be implemented that would protect the Park as well as the right of access and the economy of the communities. (See discussion of Alternative 2, which follows).

**The following are comments in reference to Chapter IV, Environmental Consequences:**

1. Scenario 2 page 149. Based on our experience of many years, we find it completely unfounded to make the assumption that 50% of the snowmobile

visitors in Scenario 1 would "reschedule their visits for non-peak use periods". The reason the peak periods are peak is because of long holiday weekends or days off that are pre-set. We have tried, with very little success through price incentives to pull people from the busy periods to our slower periods. **We strongly disagree with the aforementioned, unfounded assumption.** Such assumptions are easy to make but when proven wrong are difficult for those who are left to financially pick up the pieces of such errors.

2. Page 150 quotes John Sacklin as stating, "4-stroke machines are approximately 30 to 35% more expensive to purchase than comparable 2-stroke machines. This increased cost should (in the long run) lead to marginally lower demand for rental and purchased, 4-stroke machines." Mr. Sacklin has grossly misstated the facts. An Arctic Cat 4-stroke Touring, two up snowmobile retails for \$6,518.00 compared to a Pantera 600 EFI, 2 up at ironically, the same price at \$6,518.00. A single up 4-stroke Arctic cat retails at \$6067.00 whereas a comparable 2-stroke ZL 600 retails for \$5739.00 or an increase of 5% for the 4-stroke. Later he states that "(42% in the survey) indicated they would pay \$46.09 per day to rent a "clean and quiet" sled." We are not aware of any snowmobiles available for rent for \$46.09 per day.
3. Page 155-156. The claim is made that the average visitor to West Yellowstone spends only one day of a multi-day trip snowmobiling in the park. While this is true in some cases, it is far from true as a stated average. Where are these assumptions coming from? There needs to be documentation to establish the validity of such statements.
4. The second paragraph page 155 "As noted by some local businesses ....a change in policy may lead to economic diversification and help some firms that lost business from the variety of users as snowmobiles became the dominant use." This is totally absurd speculation. Many of us were here before the snowmobile became popular. At that time the town was basically shut down and the windows boarded up. Since the snowmobile opened up the winter economy, the businesses referred to have opened and are now biting the hands that feed them.
5. Page 156 Social values 2<sup>nd</sup> paragraph; as was stated elsewhere in this document, the language information is slanted toward giving advantage to pro ban proponents. For instance, "*Among the general public, local residents are evenly divided between past management and the current management plan reflected in these alternative to allow only snowcoach, ski and snowshoe travel.*" (Underscore added) This is blatantly incorrect. (See Attachment #4 Public Comment Letter dated August 12, 2001 Winter Use Plan) This letter clearly refutes the above quoted statement by showing that the document "A Call for Healthy Economy and a Healthy Park" does not call for banning snowmobiles and is a small representation of the community of 150 signers including 8 businesses. "A Plea for Responsible and Well thought out Solutions to Protect Yellowstone and Keep Vibrant Communities" clearly states snowmobiles should not be banned and was signed by 645 respondents including 198 businesses. The above referenced quote should never have been made unless our petition, A Plea for Responsible...Communities was also quoted or referenced which totally refutes A Call for Healthy...Park. This is

another instance where the writers of this document were exhibiting bias by amplifying an inferior representation of public feeling and ignoring a position that was much stronger supporting snowmobiles in the Park.

6. Reference is now made to page 159 under Conclusion. "... the reduced visitor expenditures under this alternative could have a minor to negligible short term adverse impact on the winter economy of West Yellowstone, Montana. The impact on the year-round West Yellowstone economy is a negligible short-term negative impact. Alternative 2 also would have a minor negative impact on total current trip non market visitor benefits (through reduced visitation). The changes proposed in Alternative 2 would be likely to result in minor adverse impacts to some visitors' social values." (Underscore added) This impact may seem minor to those who have used narrow studies to justify such language but are major to those of us who live here and to those whose social values have been totally uprooted. Local input was never considered nor solicited regarding these assumptions.
7. The economic impact has been addressed elsewhere but suffice it to say, West Yellowstone will suffer major economic damage. The vibrancy of the community will be destroyed. There is too much risk to blindly jump into implementation of such drastic measures. West Yellowstone has been a full partner with the Park for almost 100 years. Let's build on that relationship rather and destroy it.

#### Alternative 2

As a preamble to our discussion regarding Alternative 2 we would like to state the following:

1. We believe the parks public choice/access and the economic base of the gateways communities must be protected. Our proposal will encompass the protection of all three. Without the protection of all three, the final decision of the ROD will not be sustainable.
2. It has been clearly stated by the previous administration, park planners and reiterated on page 281 of the DSEIS that **historical and or current visitation levels in the park should be maintained.** Without these levels of visitation the public will be denied their rights, the communities, schools, citizenry and municipal services would all struggle to survive. It is of paramount importance that these levels of visitation for each gate be maintained.
3. It is time to set the record straight as to what is really meant and envisioned by the term "snowcoach". The snowcoach operators have submitted once again, in a separate letter, the fact that the snowcoach, as we now know it, will fail dismally in satisfying the needs of the public as envisioned in the EIS documents. They are simply not mechanically sound, clean and quiet, comfortable, enticing and affordable to operate and the list goes on. A "new concept" snowcoach plan has been introduced to a few of us. The top personnel in the Clinton Administration Department of Interior, NPS and Former Superintendent Mike Finley stated that a "new concept" snowcoach would be on display at the SLC Winter Olympics and then would be brought to West Yellowstone. This would have been 2001-2002. Year 2002-2003 we were promised to have "new concept" snowcoaches, paid for by the government. Mike Finley said they would cost \$8 million and Destry Jarvis

told us several million dollars would be spent in marketing the "new concept" snowcoach to attract a new audience. **No mention was made of this in the EIS documents and the public was led to believe the current snowcoaches were adequate to do the job.** We believe this was an intentional omission and a blatant misuse of public trust. The success or failure of the snowcoach depends on the "new concept" snowcoach. It must be part of the FSEIS document in order to have full disclosure. Some of us were briefed May 23, 2002 about the progress of this "new concept" snowcoach. If the "new concept" snowcoach image does not replace the stereotyped image of the current snowcoach the public will be led to believe one thing only to find out another. If visitation by snowmobile is cut prior to the development and acceptance of the "new concept" snowcoach, the public will have been deprived of their right of free access and the communities would have been placed at financial risk.

4. We request that Alternative 2 be extended one year, as the other alternatives will be.

The following points are made in reference to statements found in the DSEIS under Alternative 2 that we believe must be addressed:

1. Mitigation should come first followed by carrying capacities. Table 11 shows "Management Actions" proposed for monitoring efforts, which would result in establishing a specific carrying capacity. The Table should be modified to show that mitigation would be explored first, before going to a set limit. An Adaptive Management study should be implemented immediately and completion targeted for 2 years with an interim cap of 900 snowmobiles through the West Gate. This number would only be decreased when mitigation practices have been exhausted, i.e. increased grooming, increased rangers, improved air handling and "new concept snowcoaches are proven, on line and booked sufficiently to prove their viability as an alternative transportation choice.
2. "New concept" snowcoaches must be identified whenever snowcoaches are referred to. No reduction of snowmobiles should be implemented until these snowcoaches are produced, tried, proven, and successfully marketed. It is not enough for an assumption to be made that the people will still come just because there is the possibility of "new concept" snowcoaches in the future. Our community cannot make payroll every two weeks and mortgage payments every month on the chance that these coaches may be developed in 2 to 10 years.
3. Page 45 footnote 17 calls for bio-based fuels and synthetic oils to be mandatory for 2 strokes in the park. That is not enough. The Park should be required to sell only bio-based fuels in the Park.
4. Snowmobile technology has surpassed snowcoach technology. Credit should be given. 4-stroke snowmobiles that are cleaner and quieter are currently being produced by all four manufacturers on the market and are being used in the rental fleets. 2002-2003 will see over 200 rental 4-stroke machines in West Yellowstone alone. A phase in of 4-stroke rental machines can be accomplished in two years. By the winter 2005-2006 all rental snowmobiles

- can be 4-stroke or equal. In three years the public should be required to ride equally clean and quiet snowmobiles.
5. New studies show that a new Ford van conversion snowcoach creates 6 times the emissions, as does a 4-stroke snowmobile. Consequently, emissions per customer are greater in a snowcoach than on a 4-stroke snowmobile. (See Attachment # 5 - Snowcoach/4-Stroke Snowmobile Emissions Comparison). Some of this information came from a state commissioned study conducted by the Jackson Hole Scientific Investigation Firm.
  6. It is the belief by some rangers and certainly our experience and that of snowcoach drivers that snowcoaches cause more animal conflict because of their size and noise than does the snowmobile, which can manipulate through the animals better. When a snowcoach passes, the bison run whereas the snowmobile doesn't look nor sound so formidable.
  7. The language of the EIS documents has been negative toward the snowmobile and pro ban. Impacts are often stated as absolutes even though the data is questionable, whereas mitigation is termed as "may" help.
  8. In general many studies made conclusions/assumptions, which from our years of experience and living in West Yellowstone just cannot be right. It seems anything can be proven with a study, but we cannot combat them all.
  9. Economics: Table 10 of the SEIS under Alt 1A and 1B states West Yellowstone's winter economy would be down by 33%, Alt 2 by 9% and Alt 3 by 17.6%. Year around economy by 8% to less than 8%. This may seem insignificant, even if it were accurate, by anyone except those of us who are left to meet payroll twice monthly and mortgage payments monthly. We cannot average these payments out over 12 months; they have to be made each and every month. We seriously question these figures. One of our businesses generated 52% of its total yearly revenue in the winter months. It does not compute that there would be less than only an 8% decrease in revenue. We wonder where these figures came from. We do not recall any economic survey conducted with we business owners in West Yellowstone recently that would quantify these results. We would call your attention to the study commissioned by the Montana Bureau of Business and Economic Research at the University of Montana. This study shows that should there be a ban on snowmobiles in Yellowstone, there would be a \$10-\$15 million loss to the community of West Yellowstone in future winters and that translates to a loss of approximately 150 full time equivalent jobs. This terrific financial hit to our community would affect not only our businesses but also municipal services, school and lead to unemployment. The above-mentioned study refutes the numbers referred to in table 10.
  10. It has been suggested by the Winter Use Study that any displacement of snowmobiles from Yellowstone could utilize forest trails. The augmenting of such usage on forest trails, as a result of a ban or greatly reduced numbers of snowmobiles, will push visitation on the forests to an unacceptable level. This could create unacceptably rough trails and visitor enjoyment could take a downward spiral. West Yellowstone would then suffer from a two front negative economic impact.

11. Animal conflicts are continually referred to as a result of snowmobile activity. It should be made clear that the snowcoach, according to more than one ranger causes bison to run more because of its size than do the snowmobiles that are smaller and can move along side and pass the bison, many times with very little stress. Increased rangers have made a great difference in snowmobile/animal encounters. The snowcoach has a harder time passing bison without making them run.

**West Yellowstone snowmobile rental operator's proposal to be included in the FSEIS to be considered adjustments as part of Alternative 2**

The points made during the proposed preamble to Alternative 2 should be kept in mind as the following proposal is read.

1. We propose that Alternative 2 be extended like the other alternatives by one year.
2. Table 5 Page 46, Interim use levels. Interim use levels through the West Gate should be 900. Further reductions of snowmobiles should be implemented when the "new concept" snowcoach is developed, mechanically proven, has been sufficiently marketed for public acceptance and there is an adaptive management need to make such reductions. Mitigation efforts should be exhausted before reductions are made unless the above snowcoach prerequisites are met. A trial reservations system could be implemented between Christmas and New Years and the Saturday and Sunday of President's Holiday allowing 70% of the 900 allowable snowmobiles to be booked by the rental operators. Since there are currently no other times that exceed 900 snowmobile entries, reservations and limits will only be required if there are additional days that exceed the 900 levels for 3 consecutive years.
3. Snowmobile hours will be restricted to 7:00AM to 8:30PM. This will allow disbursement of snowmobiles and snowcoaches.
4. Continue 35 MPH speed limit between West Yellowstone and Old Faithful.
5. Explore incentives for double riding snowmobiles.
6. Explore incentives for snowcoach usage (The "new concept" snowcoach may do this).
7. Continue pilot program in all areas. Effort should be made to de-emphasize punitive enforcement and encourage assistance perceptions. Continue to improve grooming. Improve pre purchased and other passes, i.e. provide a colored pass (gold) for golden eagle, golden age etc. with no expiration date. Make other passes larger so expiration date can be written larger and on both sides for easier readability of rangers. Improve express lanes and workers conditions. Work together to disseminate better public information.
8. Implement immediately, early and late rubber tracked coach access into the Parks.
9. Establish an advisory council with park management and local, gateway community business leaders on council.

10. Soundscapes. Page 127 etc. This section needs to be totally redone. 4-stroke snowmobiles tested at 35 mph 72.0 db and snowcoaches at 30 mph (Bombardier 78.4 db and Mattracks 75.0 db). Snowcoach and/or 4-Stroke snowmobile noise is equal to or less than summer vehicles. These levels are compatible with other seasons.
11. Continental Divide Trail: What science justifies it will support only 150 snowmobiles? An adaptive management study should be implemented looking at night closures, double grooming, etc.
12. Guides should be encouraged, but not required. Guides could be trained to help with human/animal conflict. Not all groups would want nor would require a guide. Additional cost and human resources would result. (See Alt #3)
13. Ethanol blend fuels should be required for resale park wide to cut down on emissions. All over-snow vehicles should use E-10, not just 2-stroke machines and it must be available throughout the parks.
14. Consistent with language in the winter use document that states snowmobile parking areas should be separated from snowcoach parking areas at Old Faithful; we are requesting that a motorized free zone be established between Old Faithful Snow lodge and the O.F. visitor center. We requested this change to Superintendent Mike Finley (See Attachment #6 – Letter to Superintendent Mike Finley). This would greatly reduce sight and soundscape concerns for those who wish a pristine noise free experience while at the visitor center, geyser and the Snow Lodge. Superintendent Finley's response was negative, but we would encourage this be once again looked at with an eye toward making it work vs. not allowing it to work.
15. We believe there should be more cross country ski trails and opportunities away from the roadways for those who wish not to hear motor noise from the snowcoaches and snowmobiles.
16. Emissions exposure should be mitigated at the West Gate with such measures as the following:
- ❖ Establish pre-screening opportunities on peak weekends and holidays, perhaps at or near the entrance sign where the air is not trapped. A funnel arrangement at such a location manned by rangers could turn around loud machines, could check dates on all pre-purchased passes as well as the colored passes proposed earlier for Golden Age and Golden Eagles.
  - ❖ Radio contact could be made with the gate to handle any unusual circumstances, which could be manned with a much smaller staff.
  - ❖ The gate kiosks should have fresh air piped in with all air leaks sealed so emission gasses could not enter the kiosk. (See Attachment #7 - Randy Roberson's Letter).

planning and customer contacts. We are on the grounds people and want to be able to work out an amicable solution in a partnership attitude.

Signed by the West Yellowstone snowmobile rental operators. May 24, 2002

Three Bear Lodge

*Clyde G. Seely*  
Clyde G. Seely

Two Top Snowmobile Rentals

*David Mc Cray*  
David Mc Cray

Yellowstone Arctic/Yamaha

*Bill Howell*  
Bill Howell

Yellowstone Adventures

*Brad Schaner*  
Brad Schaner

Travelers Snowmobile Rentals

*Glen Loomis*  
Glen Loomis

Yellowstone Vacations

*Randy Roberson*  
Randy Roberson

Old Faithful Snowmobile Rentals

*Todd Trent*  
Todd Trent

Yellowstone Rentals and Sports

*Gary Baxter*  
Gary Baxter

Back Country Rentals

*Jerry D. Johnson*  
Jerry Johnson

ABC Rentals

*Shane Roos*  
Shane Roos

Alpine West

*Guy Hammond*  
Guy Hammond

Hi Country Snowmobile Rentals

*Dennis Fritsch*  
Dennis Fritsch

High Mark Snowmobile Rentals

*Ron Gatheridge*  
Ron Gatheridge

West Gate Station

*Julie McLaughlin*  
Julie McLaughlin

Signed By Fax


**YELLOWSTONE  
ARCTIC • YAMAHA**

Box 350 • 208 Electric St. • West Yellowstone, MT 59758 • 406 / 646-9636 • FAX 406 / 646-9421

May 23, 2002

 Winter Use Draft EIS Comments  
 Yellowstone & Grand Teton National Parks  
 P.O. Box 352  
 Moose, WY 83012

Dear Sirs:

Enclosed you will find my comments regarding the SEIS, along with additional information and attachments in support of the information. As you start pondering the Final SEIS, I hope you will take into consideration the needs of the West Yellowstone community and businesses.

While I know the economy in our area is not the prime motivator in the FSEIS, I do believe, and hope you do as well, that we all should receive appropriate consideration so that our community and our businesses don't face bankruptcy as a result of the National Park Service decision.

Thank you very much for all your help and support as we enter the final stages of this process.

Sincerely,

 F.W. Howell  
 P.O. Box 350  
 West Yellowstone, MT 59758

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 Winter Use Draft EIS Comments  
 Yellowstone & Grand Teton National Parks  
 P.O. Box 352  
 Moose, WY 83012

May 23, 2002

Dear Sirs:

I have lived in West Yellowstone for the past 28 years and have owned a snowmobile rental business, hotels, restaurants and lounges. I feel that this experience gives me some insight into the issues at hand in the Draft EIS. I have reviewed the draft of the SEIS for Yellowstone & Grand Teton National Parks and would like to offer the following comments and information, not only on the alternatives, but also additional information that I think should be considered for the Final SEIS.

#### Discussion of Alternatives

First, let me say that I do not support any decision in the Final SEIS that would ban snowmobiles and restrict winter access to a snowcoach-only mass-transit system.

**Alternative 1A – No Action:** Alternative 1A is unacceptable because in the year 2003 – 2004, all snowmobiles would be banned from Yellowstone National Park.

**Alternative 1B:** Alternative 1B is the same as 1A, with the exception that it allows an additional year of phase out for snowmobiles with the ban taking place in 2004 – 2005. It is therefore unacceptable because it ultimately bans all snowmobiles from Yellowstone.

**Alternative 3 – Park Service Proposal:** Alternative 3 maintains a minimal number of 330 snowmobiles per day through the West Gate, but stops snowmobile use on the Friday following President Washington's Birthday. Based on the 2001 – 2002 West Gate Snowmobile Entries (see Attachment #1), 50,568 snowmobiles entered Yellowstone last winter. At a rate of 1.25 people per machine, this amounts to 63,210 people. If the proposed cap (dates indicated in the black box) and closing date stand, only 28,875 people would be allowed into the Park (330 machines X 1.25 people per machine X 70 days). This would exclude 34,335 people from entering Yellowstone National Park and at the rate of \$255.00 per person (total expenditures in the community), that translates to a loss of \$8,755,425 in revenue to the town of West Yellowstone.

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This plan also requires a Park Service approved guide for entry to the Park. "Guided only" snowmobiles are not the answer to the wildlife problem. While "guided only" is meant to curb wildlife problems, it severely limits the number of people that would come to the park. Some would not want to come because of the loss of the individual experience. Some would not be able to come because of caps. Some would not come because of the additional expense of a guide. This would drastically reduce the number of visitors and the economic viability of the town. The proposal to allow only 330 snowmobiles per day from the West Entrance simply is not enough. Employment of a large number of qualified guides would be a problem, in addition to finding the necessary number of qualified drivers for the additional snowcoaches required to pick up the slack from the reduced snowmobile numbers. If the closing date were to stand, this would make it even more difficult to attract personnel for such a short season.

On page 57 of the Draft EIS it states that "During the winter of 2003 – 2004, if at least 600 snowcoach seats are not available for visitors parkwide, YNP would allow up to 220 more snowmobiles to enter through the West Entrance each day (the daily ceiling would not exceed 550 snowmobiles to enter through the West Entrance for that winter season) so that historic average use levels are maintained." It doesn't make sense that "parkwide snowcoach seats" are tied to the entrance levels at the West Entrance. Also, if the Concession permit holders for Yellowstone were checked, one would find that there are in excess of 700 seats available already, so there is no benefit from this compromise.

Because these requirements would economically devastate the gateway community of West Yellowstone, it is also unacceptable.

**Alternative 2 – Co-Operating Agencies Alternative:** Alternative 2 is the most acceptable alternative, but needs a few modifications as follows for the West Gate:

- Needs language to protect and guarantee historic visitation numbers (approximately 60,000 visitors) from the West Gate in order to protect the economic viability of the community and the businesses in town. The Draft SEIS states this goal on page 281, "All alternatives evaluated in both the SEIS and the FEIS are intended to maintain the current level of recreational visitation in the parks, although modes of access differ." This goal needs to be paramount on the final decision.
- Extend status quo for the winter of 2002 – 2003 to allow time to implement the decision of the new FSEIS.
- Require all rental operators to use clean, quiet 4-Stroke machines by the winter of 2003 – 2004. Give the general public two to five years to comply.
- Interim use limits. Need to start visitor capacity study immediately. While study is being done, the following would be the snowmobile limits:
  - Winter 2002 – 2003: Status Quo – unlimited snowmobiles.
  - Winter 2003 – 2004: Cap West entrance at 900 machines per day.

- Winter 2004 – 2005: Drop cap to 700 machines per day provided the "new concept snowcoach" is in operation and accepted by the public to pick up any slack created by the lower caps. Included in this process, there needs to be a commitment by the National Park Service to spend a couple of hundred thousand dollars annually for a minimum of five years to reach the new clientele to fill these "new concept snowcoaches". At this time, snowcoaches are not the preferred mode of transportation by winter visitors, with only about 8% entering on snowcoach (see Attachment #2). If the "new concept snowcoach" does not become a reality, then the cap of 900 clean, quiet machines per day would remain as a limit unless the visitor capacity study above shows the number of snowmobiles can be increased.
- Try a reservation system for peak visitation times in order to test viability. This would primarily be during the Christmas holidays and on President's Weekend, and other times as necessary when the cap has been met three years consecutively.
- Close Park gate from 8:30 p.m. to 7:00 a.m. to help keep trails in better condition. An 8:00 a.m. open time is unacceptable because many photography groups want to enter the Park at or before daylight to get rising sun and early daylight shots.
- Keep speed limit at 35 mph only between West Yellowstone and Old Faithful.
- Develop incentives to increase double riding on snowmobiles.
- Develop incentives to increase snowcoach use.
- Encourage guide use, but do not require.
- Keep and expand the pilot program of the past winter:
  - Increase ranger presence for assistance.
  - Increase grooming.
  - All West entrance passes purchased from vendors in West Yellowstone (none at the gate). Also offer different color passes for Senior Citizen and Golden Eagle pass holders. This would allow these visitors to pick up passes from the local vendors as well and further reduce the machines stopped at the gate.
  - Expand interpretive programs.
  - Provide expanded literature for general public education.
- Probably the most noticeable improvement came with expanded grooming including the new techniques and new equipment. These efforts made the visitor experience acceptable even on peak days with 900 or more snowmobiles per day entering Yellowstone. More efforts in this area would have a big impact on the visitor experience that could be used to help determine the results of the above mentioned capacity study. Increased grooming is going to be one of the key elements to visitor satisfaction. We already know from this past winter that the increase in grooming from West Yellowstone to Madison Junction was a huge improvement over previous



winters. The same techniques and efforts need to be made on other segments of the roadways that are groomed in the winter, i.e. Madison Junction to Norris, Norris to Canyon, Madison Junction to Old Faithful and Old Faithful to Grant Village. Of course, the road from Canyon to Grant Village should always be groomed appropriately as well as the roads from Fishing Bridge to the East Gate and Grant Village to the South Gate.

- Adaptive management should be an integral part of the final alternative in order to adjust the numbers of snowmobiles and snowcoaches up or down based on true scientific research. Before any scientific research is done that leads to adaptive management, there should be a serious attempt to mitigate all concerns or problems first. Any changes resulting from adaptive management need to provide ample time to implement, i.e. one to two years.
- Establish an Interagency Yellowstone Recreation Advisory Council to assist with program management. Included on this council should be community and business members as well.

If the above comments in Alternative 2 were to be included in the Final SEIS, West Yellowstone would not suffer the economic impact that would be precipitated by any of the other alternatives.

#### Tell Us the Truth About the All Snowcoach Plan

If a total ban is instituted, it will take approximately 184 snowcoaches to carry the historic level of 60,000 people into the Park. One can only imagine the congestion and the animal harassment from 184 snowcoaches trying to be in the same place at the same time. If a snowcoach leaves West Yellowstone every four minutes starting at 7:30 a.m., it would take 12 ½ hours before the last snowcoach would leave for the Park – 8:00 p.m. – what a wonderful visitor experience those folks would have. In fact, since it is dark at 5:00 p.m., the last 45 snowcoaches would leave after dark!

It has been generally accepted by the Department of Interior and the National Park Service that the current old snowcoaches (Bombardiers) and the retro-fitted vans are not adequate to handle the transportation needs or requirements resulting from any cut back in snowmobile numbers or a total ban. They are a mechanical nightmare, and often breakdown leaving visitors stranded for hours until another snowcoach can be sent to retrieve them. Even though the "new concept snowcoach" is being pursued, reference to such has not been identified nor referred to in the SEIS. It appears relevant that the "new concept snowcoach" program should become an integral part of the FSEIS. Any reduction in snowmobile numbers should be concurrent with the development and use of the "new concept snowcoach". The community of West Yellowstone cannot handle a loss in overall revenue for an undetermined amount of years while the "new concept snowcoach" is being developed.

The snowcoach alternative has no new technology on line nor tried and proven. I doubt seriously that there will be new snowcoaches available by the necessary time. I am also quite sure that financing for such a large fleet of snowcoaches, as well as storage facilities cannot be accomplished on the local level.

The snowcoach only plan also leaves much of the park inaccessible to the winter visitors. Due to great distances between points, visitors will be cut off from most of the park and cross over traffic from gate to gate will be impossible.

A recent emission study on the retrofitted vans showed that these vans emitted six times the emissions of an Arctic Cat 4-Stroke snowmobile. A comparison shows that on a per person basis, the snowcoaches emit 112.5% more pollutants per customer than an Arctic Cat 4-Stroke (see Attachment 3).

In February 2001, our company did a gas cost per customer day comparison of snowcoaches versus snowmobiles and determined that the Arctic Cat 4-Stroke snowmobile was also more fuel efficient on a per person basis than our van conversion snowcoaches (see Attachment 4).

After careful analysis, it seems obvious that the proposed "all snowcoach" alternative is, at best, an untried solution to a problem, and may never come to fruition.

#### Emissions & Air Quality

For sometime, there has been a raging controversy about emissions and air quality in Yellowstone National Park. We have seen numerous times in the press the stereotype photo of a large number of machines going into the Park and the cloud of smoke visible in the photograph. While many of us who have been in the business thirty or more years recognize that the two-stroke snowmobiles need to be cleaner and quieter, it is also pointed out by Dr. Gary Bishop, Department of Chemistry and Biochemistry at the University of Denver (see Attachment 5) that the results in *Chapter IV: Environmental Consequences* of the Draft SEIS fail the test and leave many wrong impressions and misinformation as it is presented in this chapter. Dr. Bishop goes on to say "A general sloppiness is found throughout the chapter and will leave a knowledgeable reader with the feeling that it was better to do the job fast than do it correctly". He details many errors and inaccuracies throughout the entire chapter and it seems only appropriate that the misinformation be corrected and acknowledged.

It should also be noted that the Arctic Cat 4-Stroke snowmobile is proven to be very clean, fuel efficient and quiet (see Attachment 6). Having run these machines now for two years, I believe they will meet or exceed any requirements that the EPA recommends.

Air quality has been another issue that seems to get twisted with regard to the facts. The real truth about air quality is that there has never been any violation of ambient air quality standards in Yellowstone National Park related to snowmobiles. As a matter of

fact, Montana's ambient air quality standards are stricter than the National ambient air quality standards, and even they have never been violated by snowmobiles in Yellowstone. This statement is backed up by a statement from Mr. Howard E. Haines, Bioenergy Engineering Specialist for the Montana Department of Environmental Quality (see Attachment 7).

A few of the employees at Yellowstone National Park chose to wear "filters" on President's Day weekend this winter. The "filters" they wore did not provide any protection from carbon monoxide because they were not of the proper quality.

#### Sound

Jackson Hole Scientific Investigations conducted supplemental vehicle sound measurements in 2002 for the Yellowstone/Grand Teton Winter Use Supplemental EIS. As you will note by the enclosed chart (see Attachment 8), in most cases, the snowmobiles were as quiet or quieter than any snowcoaches that are currently in operation today. It should also be noted that the sound level of the Arctic Cat 4-Stroke snowmobiles were less than one-half of the snowcoaches that are running in the Park.

#### Wildlife

Another issue commonly referred to is the human/wildlife conflict. There is a perception that there is a conflict between snowmobiles and wildlife. All snowmobiles are required to stay on the roads that are groomed for riding. It is true that when you enter Yellowstone National Park that you may encounter bison or elk on the road, but there is no more conflict during the winter than there is when 18,000 cars and buses per day encounter wildlife on the highways in the summertime. In 1965 when snowmobiles were first allowed to enter Yellowstone, there were 388 bison. In 2001, the bison population was approximately 3400. Earlier, I wrote about the fact that rangers ought to assist the winter visitor in working their way through these animal concentrations. It is readily known by National Park Service personnel and those of us living in the area where you will encounter wildlife on the roads. If the Park Service would conduct a little Public Relations and Human Resources training program with their ranger staff, it would go a long way to alleviate these perceptions. Wildlife is thriving in Yellowstone. Bison, elk and grizzly bear populations remain near record levels and wolves were successfully reintroduced in 1995. The populations of these animals – especially elk and bison – grew after the park adopted a controversial policy of natural regulation in the late 1960's and stopped killing them in the park. As a result of adopting this policy of natural regulation, the populations have continued to grow above and beyond the carrying capacity within the Park. It only takes a little common sense to understand that what appears to be a problem is not if you look through a pair of untainted glasses. In fact, according to page 210 of the Draft SEIS, "To provide an index of physiological stress, Hardy et al. (2001) measured fecal glucocorticoid (FGC) levels and found them to be higher in bison and elk during wheeled vehicle travel as opposed to snowmobiles or snowcoaches. FGC levels in elk increased as traffic entering the West Yellowstone gate exceeded 7,500 cumulative vehicles subsequent to the opening of the spring

season." This tells me that the stress on the animals when there are 10,000 – 15,000 cars in the Park is much greater than any stress caused by snowmobiles or snowcoaches. If this is the case, as per quoted research, then there is no basis for the perceived wildlife stress issue.

#### Economics

The financial impact of Alternative 1A (The No Action Alternative), especially now that the snowcoach will not be available in time for the implementation of the ban, will be financially catastrophic to the gateway communities. We have obtained daily park entrance figures for the winter of 2001 – 2002 and have graphed the results of a 330 snowmobile per day cap (see Attachment #1). It shows a revenue loss of \$8,755,425 for West Yellowstone alone. I believe the tight timeline for any change is far too short and should be extended by a year or two. In addition to Wyoming's concerns in Alternative 2, there are concerns that should be addressed from the West Entrance that are best determined by the folks in West Yellowstone as I mentioned in the analysis of Alternative 2 at the beginning of this letter. The West Gate has historically had the heaviest usage in the winter. Consequently, many large lodging, restaurant and other ancillary businesses have built up in our town. These have been built on the premise of providing services for the Park over the long term. Many of these businesses have financed with long term financing. All of these businesses have been built with the expectation of having a good year around economy. If the economy is drastically reduced, what will happen to these financial obligations? Buildings and debt do not just go away. They are permanent. These same businesses are necessary for a healthy partnership with the Park in the summer, since the Park is protected by the gateway communities' ability to house outside the Park, its many visitors. Unlike other communities, West Yellowstone derives about 95% of its revenue from tourism. There is nothing else to fill the void.

In addition to these economic concerns from West Yellowstone, all of the gateway communities would lose the revenue from the business generated from crossover traffic between the West, North, East and South gates. This crossover business exceeds \$20 million annually and more than ½ of it occurs in West Yellowstone. This is in addition to the \$8.75 million mentioned above. The Continental Divide snowmobile trail is an important link in this crossover traffic, and certainly more than 150 snowmobiles per day should be allowed on this trail.

It is critical that the economy of the town be allowed to remain vibrant in the winter so it can continue to provide the crucial role it plays for the Park in the summer. Even though the economic issues are not at the top of the priority list in the SEIS process, we implore all of the planners not to turn a cold shoulder on the gateway communities.

The West Entrance has had approximately 60,000 snowmobile visitors during the winter months. The above businesses were built to help partner with the Park in caring for the many people that come. There are about 1360 rooms in West Yellowstone. These must have a reasonable occupancy or their demise is eminent. The DOI under the

previous administration, the NPS, and even environmental groups have said that the goal is not to cut numbers of visitors, just motors. What happens if there is a drastic reduction in visitor numbers? Lodging facilities are the easiest to document economically, but there is always a similar detrimental domino effect felt throughout the rest of the community in unemployment, other businesses, the school and municipal services.

This past winter, the Montana Snowmobile Association commissioned the Montana Bureau of Business and Economic Research at the University of Montana to update its Snowmobiling in Montana Economic Impact Statement done by Mr. James T. Sylvester (see Attachment 9). This study shows that should there be a ban on snowmobiles in Yellowstone, there would be a \$10 - \$15 million loss to the community of West Yellowstone in future winters and that translates to a loss of approximately 150 full time equivalent jobs. As previously mentioned, this type of severe economic shock in our community would have a domino effect on many other businesses and services in our town. This just can't be allowed to happen.

#### Additional Considerations

As the final decision for the SEIS is made, we still hold the three hallmark goals in mind:

**The Park must be protected.** Our livelihood depends on Yellowstone being protected. Our love for this area has caused us to be devoted to respecting and protecting the Park within the guidelines we have been given. We have tried to be good stewards. We can see where change is necessary and have never been in favor of the old "status quo" for the future. Surely, we can work out a plan that will accomplish this goal. Air emissions have been reduced greatly with E-10 fuels and synthetic oils. Totally pre-purchased park passes have eliminated idling machines at the pay station and have greatly reduced employee discomfort. New snowmobile technology is far ahead of new snowcoach technology. All four manufacturers have introduced a 4-Stroke snowmobile, and two (Arctic Cat and Polaris) are now in mass production for the upcoming winter.

Animal issues can be addressed with increased ranger presence. Bison herds are predictably in certain areas. Rangers can be cross-utilized better and a few additional rangers could almost eliminate conflict. As Yellowstone's Chief Ranger stated to Clyde Seely, "just my presence with my light flashing had a great effect on how people behaved". The cost of additional rangers can be paid for many times with the fee demo dollars that will be lost with a great reduction of visitors.

**Public Access must be protected.** First, the production of the "new concept snowcoach" is not possible by the time the snowmobile ban goes into effect. Should the ban hold, approximately 60,000 visitors from the West Gate will be denied winter access to Yellowstone and 20,000 more from the South Gate. The very purpose for which Yellowstone was created, for the enjoyment of the people, will no longer be able to be enjoyed by the people. West Yellowstone will be financially devastated in one year. There must be a better solution.

Let us assume that the "status quo" or snowmobile ban remains in place or that a like alternative will emerge that will severely reduce snowmobile access, thereby increasing the demand for many snowcoaches. Our company has a snowcoach concessions contract. Even if the snowcoach could be eventually developed, we are wondering if it will be practical, in fact possible, for the snowcoach to pick up the slack.

While the snowcoach is not considered in either of the new snowmobile alternatives, it must be considered at the appropriate time. If the "new concept snowcoach" is not in place nor a proven viable option for the public before any reduction in snowmobile numbers takes place, the public and the gateway communities will be led into a box canyon with no way out. In order to have a reasonable chance for success, an extended transition period for implementation of any alternative must be considered as part of the SEIS.

**The gateway economies must be protected.** This has been discussed in length above.

I believe the following items are crucial to be included in the Final SEIS:

There must be a phase in period no matter which of the possible three alternatives are chosen. If the original ban is to go into effect, there must be an extension of time, as there are no snowcoaches to fill the requirement of visitor access. The visitor will be totally dependent on the snowcoach for transportation. We now know that they will not be in place. Development of the "new concept snowcoach" has been severely retarded and in fact, yet remains to be seen if it will ever become a reality. Even if they are built, who will pay for them or how will they be financed locally?

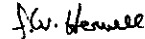
If the Park Service Alternative goes into effect with 330 "guided only" snowmobiles per day, the total winter capacity would be cut to 23,000 people. What is to provide access for the rest of the 60,000 visiting public? Access for the balance of 37,000 people would be denied. There must be a longer transition time for a new marketing effort to be completed. It will take many years before marketing can successfully attract that number of people to the Park with a different mode of transportation than has historically been the transportation of choice.

If Alternative 2 is chosen with a cap of either 700 or 900 snowmobiles per day and additional restrictions, snowcoaches will still need to be relied upon to help pick up the slack. Of course, the cap indicated above does not mean there will actually be that many snowmobiles every day. Either of these caps will require a phase in period to allow development of the snowcoach to meet the public needs for access and to mitigate economic harm to the town. The fact that provisions need to be made to allow more time to make adjustments cannot be ignored. Whether or not there will be reduced snowmobile use or increased snowcoach use, a phase in time is necessary. There is no light at the end of the tunnel in either case that would preclude such a period.

While adaptive management must be an integral part of Alternative 2, there must also be a serious effort to mitigate problems and conflicts as they occur and before it becomes necessary to spend exorbitant time and resources for studies to apply adaptive management. The Yellowstone Advisory Council would be a very appropriate group to discuss potential solution to these areas of concern and recommend different mitigation methods.

Thank you for the opportunity to comment on this SEIS process.

Sincerely,



F.W. Howell  
P.O. Box 350  
West Yellowstone, MT 59758

John Sacklin To: Jennifer Conrad/YELL/NPS@NPS  
06/04/2002 10:41 AM cc:  
MDT Subject: SEIS comments returned to  
sender-bad email address

----- Forwarded by John Sacklin/YELL/NPS on 06/04/2002 10:43 AM -----



"Scott Carsley"  
<scott@yellowstoneguides.com>  
05/30/2002 10:20 AM  
CST  
Please respond to "Scott Carsley"

To: <grte\_winter\_use\_seis@nps.gov>  
cc: "John Sacklin"  
<john\_sacklin@nps.gov>  
Subject: SEIS comments returned to  
sender-bad email address

Dear Park Planners,

Please note this message sent to you on the 29th of May was returned to sender as your address was unknown at destination site.

Please accept this public comment on the SEIS which follows the Mailer-Daemon message included as proof of original mailing on the 29th.

Thanks.

Transcript of session follows -----

Reason: User grte\_winter\_use\_seis@nps.gov unknown at destination site.

-----First 8192 bytes of-----  
----- Unsent message enclosed after this line -----  
Received: by mail.wy Yellowstone.com from localhost  
(router,slmail V5.1); Wed, 29 May 2002 16:34:34 -0600  
for <grte\_winter\_use\_seis@nps.gov>  
Received: from scott [63.163.46.218]  
by mail.wy Yellowstone.com [63.163.46.30] (SLmail 5.1.0.4412)  
with SMTP  
id 510CB7BF713E11D6B84D0040F4150CFE  
for <grte\_winter\_use\_seis@nps.gov>; Wed, 29 May 2002  
16:34:29 -0600  
Message-ID: <00e901c2075e5b419b8a05de2ea33f@scott>  
Reply-To: "Scott Carsley" <scott@yellowstoneguides.com>  
From: "Scott Carsley" <scott@yellowstoneguides.com>  
To: <grte\_winter\_use\_seis@nps.gov>

Subject: SEIS comments  
 Date: Wed, 29 May 2002 16:17:29 -0600  
 Organization: YELLOWSTONE ALPEN GUIDES

Dear Park Planners;

<?xml:namespace prefix = o ns =  
 "urn:schemas-microsoft-com:office:office" />

I am the owner of Yellowstone Alpen Guides. We have operated snowcoach tours in Yellowstone since 1984. As a "hands-on" owner, I have intimate connection with all aspects of operations from driving the snowcoaches, to repairing them, to marketing for them. In my humble opinion, I have more experience in snowcoach operations than anyone. Below are my comments on the winter-use SEIS.

I believe "best possible technology" snowmobiles should be allowed into Yellowstone in limited numbers with a combination of guided and unguided trips.

It is imperative to the enjoyment of all visitors that the snowmobiles entering the Park be as clean and quiet as possible. The Park Service should "ratchet-up" these standards through time to ensure that the snowmobiles entering Yellowstone are absolutely as clean and quiet as possible. These advanced technology snowmobiles should be labeled as meeting Yellowstone/Teton emission standards so Park Service personnel can easily identify them at the entrances.

Over-snow road conditions in Yellowstone absolutely have the greatest impact of all snowmobile variables being considered on both my business and the over-all winter visitor experience. As I have commented before, as road conditions deteriorate, so does the snowcoach experience. Travel becomes slow, uncomfortable and dangerous. The snowcoach tour is affected because we cannot travel as fast and therefore cannot make as many stops and cannot

give the tour we are accustomed to during good road conditions. Rough road conditions exclude many visitors who have health ailments such as bad backs, necks or internal problems or who may be pregnant and therefore cannot travel into Yellowstone when road conditions are bad. I have two excellent snowcoach guides who no longer drive snowcoach due to nerve and back damage they incurred while driving snowcoach on rough roads. The cost of repairs to all snowcoaches skyrockets during rough road conditions. Keeping all other variables constant, the visitor experience deteriorates as the road conditions deteriorate which is directly related to the number of snowmobiles that have passed over the road.

Overall snowmobile numbers must be severely limited to ensure road conditions remain acceptable for all visitors. It has been proven in Yellowstone and is obvious everywhere snowmobiles operate, that snowmobile trails become rougher and rougher as more and more snowmobiles travel over them. In my experience, road conditions begin to significantly deteriorate in warm conditions after approximately 300 snowmobiles travel over them. In cold conditions, many more snowmobiles can travel the roads without the road surface destruction seen in warmer conditions. However, unless you use a sliding scale that allows more snowmobiles into the Park during colder conditions, you must limit the snowmobile numbers based on the worst-case scenario of the warm conditions.

The road conditions last winter were the best I have experienced in years. I believe the good road conditions were a combination of great weather, cold with new snow at key times and increased grooming provided by last winters' pilot program. You cannot base policy on one winter! The increased grooming and possibly different grooming techniques must be continued and examined during a more "normal" winter with lower snowpack and warmer conditions.

Many snowmobile visitors enjoy traveling at their own pace. It is not uncommon to see snowmobilers parked along a river watching

wildlife and just enjoying the Park's serenity. In talking with these folks, many do not even reach one of the Parks icon destinations rather spend the time watching or photographing wildlife. I strongly believe there should be both guided and unguided snowmobiling allowed in Yellowstone. Reducing snowmobile numbers and allowing a mix of guided and unguided trips will necessitate a permit/reservation system much as the Park Service and the Forest Service use on many of the countries' rivers now.

New snowcoach technology is imperative to the success of this winter use plan. Existing snowcoach designs are not adequate for transporting the increased snowcoach visitors projected in the Plan. The importance of developing an over-snow vehicle that is reliable and can travel throughout the Park in a day cannot be underestimated. I have seen schematics of the new concept bus/snowcoach being developed and I am concerned about its' effectiveness as an over-snow vehicle. I suspect this "bus" will fit the needs of the Park Service system wide as a wheeled vehicle but will be inadequate as an over-snow vehicle for a number of reasons. At that point I worry the over-snow aspect of development will lose momentum and die and we will end up with the existing technology. It is very important then, to the Governments' successful implementation of this winter use plan, that development of a successful new concept snowcoach be mandated through this process. The purchase price of these buses to be operated as snowcoaches will be unaffordable for private operators. A user lease program, possibly similar to the transportation agreement now with Xanterra, must be available to the smaller private business person and should be written into the final plan as well.

It should not be overlooked that visitors love the experience of visiting the Park in the historic Bombardier snowcoach. This "step into the past" should be preserved just as the "Jammer" experience in Glacier is being preserved. These trustworthy older vehicles can easily be brought to acceptable emission standards at a cost of about \$10,000 per vehicle. Government financial assistance should be available to operators wishing to maintain this historic mode of travel. This would be consistent with the user lease program for the new concept vehicles described above.

Negative economic impacts to the local communities of transferring use from snowmobiles to snowcoaches should be minimized. Maintaining historic winter visitation should be attempted during the transition period with a goal of appropriate increased winter usage as the final outcome. Winter visitation peaked in the early 1990's. I believe the numbers then were high as a result of the Park Service promotional efforts after the fires of 1988. When visitation exceeded winter use projections, the media campaign ceased and visitation dropped. An intense media campaign should be launched by the government to entice tourists to experience the new winter Yellowstone. To ensure the success of this program, a governmental promotional campaign should be designated in the final SEIS.

A dynamic workable model of snowcoach vs. snowmobile visitors could easily be developed for use during the transition period to alleviate gateway community concerns. It could begin with historic average use of both types of visitors. As the number of snowcoach visitors increases, the number of snowmobile visitors would proportionately decrease the following year. This simple model of adaptive management technique could easily be used to maintain historic visitation levels while encouraging the Park Service to attract more snowcoach visitors to lower the number of snowmobiles in Yellowstone.

My livelihood and that of my 18 employees will be directly affected by the winter use decisions. Local economic concerns should be considered but should not dictate Park Service policy. Preserving and protecting the Yellowstone resource should be first and foremost in any decisions made regarding appropriate Yellowstone visitation. I believe the comments I have made here will ensure both protection and economic viability of the surrounding area.

Sincerely,  
Scott D. Carsley

Scott Carsley

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"Ken Sinay"  
 <office@yellowstonesa  
 fari.com>

05/30/2002 11:16 AM  
 CST

To: <grle\_winter\_use\_scis@nps.gov>  
 CC:  
 Subject: Comments on Draft SEIS

5/29/02

Planning Office

Grand Teton National Park

P.O. Box 352

Moose, WY 83012

<?xml:namespace prefix = o ns = "urn:schemas-microsoft-com:office:office" />

Subject: Comments on Yellowstone National Park Winter Use Plans, Draft Supplemental Environmental Impact Statement.

To Whom It May Concern:

Thank you for this opportunity to comment on the DSEIS for Grand Teton and Yellowstone National Parks. I sincerely appreciate your efforts to appropriately manage these great National Parks and natural resources of immeasurable value.

I will attempt to keep my comments succinct and to the point. Unfortunately, I have not had the time to express my concerns, interests, and values in greater detail, but I do hope you will consider my primary points. My comments are primarily in relation to Yellowstone National Park.

Please consider revisiting some of the options expressed in the DEIS. The option, which included plowing the road from West Yellowstone to Old Faithful, would provide the greatest visitor safety, and the greatest options for people of all economic classes to visit in a clean and quiet manner. This action would allow the greatest number of visitors, at the least expense, to visit the thermal areas. It would also allow commercial interests to provide services.

If plowing were allowed, I would encourage the general public be allowed to use the road by advance permit or first come first serve. All other use could be commercial. This would allow a distribution of opportunity. Commercial interests would benefit in all communities. However, all transportation permittees should be allowed to provide such service.

I realize the general commentary on this option was negative, but as indicated in the EIS, this option was not adequately analyzed or considered.

The snowmobile lobby simply has been resistant to change in any way. Yet, the existing situation is obviously not sustainable and is untenable. When the lobby realizes that it is in their interests to allow more visitors, I suspect they will encourage plowing in the future. Many more visitors could be accommodated if the road were plowed. This logically translates into more business and benefit.

It is not particularly in my business or personal interest to have the road plowed, but I do know that it would grant the best option for future business expansion. Historically, numerous times the regional community chambers of commerce and business interests have encouraged the National Park Service to plow

entrance roads. This has been because they knew it would be good for business. Catering to the snowmobile industry only benefits the individual snowmobile business operators.

The general public will respond favorably to an elimination of snowmobiling or even any form to winter transport to the geyser basins. My evidence for this resides in the fact that I, and my business, have offered snowshoe and ski guide service in Yellowstone for 12 years. My one busy winter season month is the 2<sup>nd</sup> half of March and first half of April. This is because we are one of the few operators offering guided access to Yellowstone after the snowmobile access is terminated. We may not even visit a thermal area, but people do wish to see Yellowstone in any way available.

Note that we offer interpretive, recreational, and nature based services. Interpretation always gives a higher yield to tourist and business regardless of type of tourism or transport.

Politicians should not be allowed to play favorites or to dictate management decisions. The current system is neither sustainable nor beneficial to all users. I stopped using the Old Faithful area in winter in 1991. The noise and air pollution simply precluded a nature-based experience. Our business opportunity was eliminated.

I also wish to encourage you to reconsider the concept of closing the Northern Range. Currently we provide wilderness oriented snowshoe, hike, and ski options on the Northern Range. We intentionally avoid trails because skiing does not jibe with snowshoeing. In a similar way, we also provide wildlife-based service. I can confidently say that we disturb less wildlife than the average visitor, either commercial or non, and yet we probably experience wildlife in a more pristine and undisturbed manner. Closing the Northern Range will eliminate our product and service. Note that we provide an educational service grounded in sustainability and a sound land ethic.

At this time, no alternative has suggested the possibility of zoning of use. More visitors and businesses could be accommodated if regions were identified and types of appropriate use were identified. For example, regions could be identified for snowshoeing off trail and education could be dictated to minimize disturbance to wildlife, while maximizing experience. An alternative might include only allowing visitation when using an Incidental Business Permit holder. Then only IBP holders need to be educated and an economic alternative can be developed. I expect some to criticize this as benefiting self-interest, but again, interpretation yields higher values, and requires a knowledgeable sensitive guide, and does allow the general public to access not only a resource, but also an experience.

Again, I cannot over-emphasize the basics of sustainability and maintenance of ecologic and economic diversity. Combined with the necessity of flexibility in management of natural resources, I believe you can produce a functional plan.

Thank you for this opportunity.

Ken Sinay

Director

Yellowstone Safari Company

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Bozeman, MT 59771

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